



Digitized by the Internet Archive
in 2022 with funding from
University of Toronto

<https://archive.org/details/31761114658032>

CA20N
XC14
-S77

Government
Publications



171

J-75A

J-75A

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Tuesday 21 October 1997

Journal des débats (Hansard)

Mardi 21 octobre 1997

Standing committee on administration of justice

Education Quality
Improvement Act, 1997

Comité permanent de l'administration de la justice

Loi de 1997 sur l'amélioration
de la qualité de l'éducation



Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Tuesday 21 October 1997

*The committee met at 0905 in room 151.*EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size /
Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

FEDERATION OF WOMEN TEACHERS'
ASSOCIATIONS OF ONTARIO

The Chair (Mr Gerry Martiniuk): Good morning, ladies and gentlemen. We are starting somewhat late, but I have assured the Federation of Women Teachers' Associations of Ontario that they will receive their full 30 minutes. I would ask that you identify yourselves for the purpose of Hansard and then proceed with your presentation.

Ms Maret Sadem-Thompson: Good morning, and thank you for your time this morning. I'm Maret Sadem-Thompson, president of the Federation of Women Teachers' Associations of Ontario, representing the 41,000 women who teach in Ontario's elementary public schools. I have to my right Florence Keillor, the first vice-president of the federation, and Barb Richter from our staff here on our presentation regarding Bill 160.

Bill 160, like this government's other so-called omnibus bills, covers a great many issues having a great many impacts. At the same time, for all its inclusiveness, many of the underlying issues, in this case education funding and the funding umbrella, are not addressed at all. On the one hand we must respond to over 200 pages of proposed changes to our education system while, on the other we

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Mardi 21 octobre 1997

must do it in a vacuum with respect to funding and to implementation.

The Federation of Women Teachers' Associations of Ontario is fearful, therefore, about what is in the bill and what is not in the bill.

What we know with certainty is that Bill 160 is not about improving the quality of education in Ontario; it is about centralizing power over education in the cabinet, about giving the government unprecedented control over our education system. It gives the government the unfettered power to dismantle our education system, to take from the system any amount of money, \$1 billion, two thirds of a billion, half a billion, without any public debate.

Teachers know that there are always improvements which can and should be made in education. We have been participants in changes in education for years. We have worked with parents, with trustees, and yes, with governments, to ensure that our education system meets the changing needs of students, but if Bill 160 passes as is, that kind of consultation and cooperation will be a thing of the past.

Bill 160 creates law by regulation. It proposes to do by regulation things which have for years been done through open public debate and collective bargaining. It would give the government of the day, more accurately the cabinet of the day, the power to determine all the parameters of our education system as they saw fit because — and this is extremely important to keep in mind — nothing in Bill 160 tells us or the cabinet how those parameters would be defined.

Right now, teachers and school boards can negotiate any term or condition of employment put forward by either party. Bill 160 effectively removes that right, and this matters not just to teachers but to parents and students, because teachers' working conditions are students' learning conditions. Class size, preparation time, professional development will all be established by regulation.

The government has said it wants to reduce teacher preparation time. Why? To cut costs. There can be no other reason. Preparation time does not affect the amount of instructional time a student has. It only reduces the scope of learning that takes place. Bill 160 doesn't say this; in fact, it doesn't even say how much preparation time will be cut.

This government has said it wants to limit class sizes. Limit them to what? Bill 160 doesn't say. The only

effective way to limit class size is to ensure that there are enough teachers in our schools.

The government says it wants to allow non-teachers in classrooms right after it establishes the College of Teachers. Why? To cut costs? There can be no other reason. Schools and teachers use non-teachers now in non-teaching functions, but we all know that knowing how to do something and knowing how to teach it are two different things.

Bill 160 permits the cabinet and the minister to extend the school year but doesn't say by how much. Bill 160 permits the minister and the cabinet to limit professional development days for teachers but doesn't say by how much. The level of uncertainty which Bill 160 introduces into education is staggering. Is it any wonder that teachers and parents alike are dismayed by this bill? The government is robbing teachers, school boards and communities of all control over their working and learning conditions. They are doing this without even telling us what the new working and learning conditions will look like. They tell us that they need to do this because teachers and trustees cannot be trusted and that the education system is in crisis. We want to say today that this government cannot be trusted. This government has placed the education system in crisis. Bill 160 doesn't fix the crisis; it magnifies it.

The government says it wants the highest-quality education at the lowest possible cost. It says Bill 160 gives it the tools to create that education system. But Bill 160 will fail. A high-quality education is built on the efforts of all those who work in and for it, that is, the teachers, the parents, the trustees, the students and our communities. A high-quality education system needs high-quality teachers and resources. A high-quality education system needs appropriate funding. A high-quality education system does not need Bill 160.

Before we answer questions, I would ask Flo Keillor, our first vice-president, to refer you to a section of our brief entitled "Other Issues of Concern in Bill 160" and to the conclusion, for they too deserve your attention.

Ms Florence Keillor: Florence Keillor, first vice-president, Federation of Women Teachers' Associations of Ontario.

Other issues of concern in Bill 160 — Occasional teachers: FWTAO welcomes the occasional teachers into the existing teacher bargaining units. This is something that we have long believed makes sense. However, two issues of concern arise in this regard. First, FWTAO does not see why we need to wait for the second agreement to include the occasional teachers. Second, the definition has been changed to allow the use of occasional teachers for almost two years, up from one year. This ensures that more women — 90% of occasional teachers are women — are kept in temporary employment relationships, with little job security.

Seniority: Bill 160 states that the new district school boards may determine seniority for the transition period, after consultation with the bargaining agent. Seniority provisions are a part of collective agreements and have been bargained in good faith over the years.

The right to strike: Section 32 of Bill 160 states that regulations may be made providing for "such matters as the Lieutenant Governor in Council considers advisable to prevent disruption in the education of pupils." FWTAO strongly recommends that this section be amended to make it explicit that this section could not be used to limit teachers' right to strike.

School year and days of work: Bill 160 provides for regulations requiring teachers to work the five-day period prior to students beginning the school year. We find it surprising that this should be a focus of regulation. There has been no demonstration that teachers are not ready for the school year. This government should treat teachers as professionals.

Professional activity/professional development: The government has indicated it wants to reduce the number of professional activity days from the current maximum of nine down to five. This government has created the College of Teachers, has emphasized its desire for more technology and has brought in extensive changes to the elementary curriculum. Coupled with the intent to reduce preparation time, reducing professional development days would seriously limit teachers' ability to keep up and to integrate the changes to the curriculum.

The Education Relations Commission: The ERC was established in 1975 with the passing of the School Boards and Teachers Collective Negotiations Act. Over the past 20 years, it has proved to be a very useful body in assisting the parties work through their bargaining disputes.

Having a neutral third party provide relevant data to the parties has meant that disputes about the relevancy and bias of the information are minimized. FWTAO recommends that some way be instituted to maintain this function. We feel that the Ministry of Labour would be the most logical body to continue this function.

Teacher contracts and boards of reference: Bill 160 removes the teacher contracts that give teachers a level of security and assurances of fair treatment. Without such contracts, teachers must be guaranteed that dismissal is only for just cause, with the reasons clearly given in writing, and that they will be given a fair hearing of any disputes.

Probationary period: Currently, the maximum probationary period for experienced teachers beginning employment in a new board is one year. Bill 160 states that the maximum probationary period for teachers will be two years, regardless of any previous experience. FWTAO believes that the current standard should be maintained. Extending the probationary period to two years for experienced teachers is unnecessary.

Both the Premier and the previous Minister of Education and Training of this province have stated that teachers and school boards cannot be trusted. In doing so, they created a crisis of confidence in public education. To fix the resulting crisis, the government introduced Bill 160 to remove the ability of teachers to bargain for a quality education system.

The elementary teachers of this province have long prided themselves on working to provide a high-quality

education for all children. FWTAO has exercised leadership through public education, lobbying and negotiating collective agreements to provide the working conditions for teachers that ensure a positive learning environment for their students. Bill 160 will limit our ability to do this in the future.

This government argues that its goal is higher student achievement, yet it has cut the funding to education. You cannot get more for less. A high-quality education system needs high-quality teachers and resources. A high-quality education system needs appropriate funding. A high-quality education system does not need Bill 160.

We thank you for hearing our presentation, and we'll be pleased to answer any questions.

The Chair: Thank you. We have over five minutes per caucus.

Mrs Lyn McLeod (Fort William): I want to thank you for being here this morning, particularly on a morning which is going to be a very difficult one for you and for all your colleagues. I wasn't sure whether you would be able to stay calm and focused enough to come and participate in the community hearings. I appreciate the fact that in your brief you've dealt with a number of the areas where, if we ever actually get to the point of sitting down and saying, "What could people live with in this act, and in what way could it be amended?" your suggestions are going to be very helpful.

In terms of questions I want to take you back to your opening statement and your conclusion, and I'm not even sure it's so much of a question. I've met with a number of your members. I met with a group of FW folks a couple of weeks ago in my home riding; it happened that a regional group was gathering. I've never experienced the kind of emotional level, the level of concern, the conviction about the importance of a cause that I was feeling from those members. These are not normally politically active people. You know your members are really happiest when they're just teaching kids, and this kind of action is certainly not something I think they feel in any way comfortable with but just felt a level of commitment that seems to create a solidarity.

The other thing is that clearly the government strategy has been to say that this isn't an issue for elementary school teachers. I just want to ask you, where is that kind of strength of feeling coming from? What has taken your members to this point?

Ms Sadem-Thompson: Over 101,000 teachers across this province have attended information sessions about Bill 160, and they understand, every single one of them, regardless of whether they're elementary or secondary, francophone or Catholic, that there are so many unknowns in Bill 160 to make us insecure in the classroom, and that has raised their level of concern. That is what is making it difficult for them to continue to focus every day on what is at the heart of the professionalism of all of us as educators in the province, and that is the work with our boys and girls in the classrooms.

They are very concerned about the regressive nature of the legislation, the vacuum of unanswered questions that

leaves to a very small number of people the decision-making power about those unknowns. They are informed about the whole of Bill 160 and its 260 pages, and that is why they have given us the firm mandate to outline for you today and to outline for the public our very serious concerns.

0920

Mrs McLeod: I guess one of the things that surprises me — in fact "surprise" is not the right word — is that I've just never seen, as I say, this level of concern across the whole membership that I've been witnessing in the last weeks. I've been indirectly or directly involved in the politics of education for almost 30 years now. I've typically found that teachers, no matter what they're bombarded with, whether it's from their local school board or the provincial government, basically just go in, close the classroom door and teach kids, and they manage. Why can they not do that any longer? I want you to say a little bit about what has taken them to this point.

Ms Sadem-Thompson: Bill 160 is predicated on trust, because there are so many unanswered questions. We have been told for two years that we should trust this government not to make cuts to education, that the cuts wouldn't hurt the classroom. Yet 53 school boards have lost special education, ESL has been cut in many boards, music has been cut, design technology has been cut, family studies have been cut, library doors are closed and there aren't any teacher-librarians in many of our libraries.

Twenty-six school boards cut out junior kindergarten. Three hundred educational assistants lost their positions to serve children as a result of those cuts. Over 40% of the Ontario school boards' consultants, who would normally work with the new curriculum outlines that have been provided by this board and made units and long-range activities from those, have been cut to our schools. Six per cent of the clerical staff have been cut. The cuts have hurt the classrooms. The classrooms have grown larger.

Bill 160 relies on faith and trust, and for two years we have been shown time and again that there's no reason to trust this government. That's why the 101,000 teachers who have attended our all-affiliate meetings are seriously concerned about the agenda of Bill 160.

Mrs McLeod: So when the government says, "Bill 160 is giving us control, cabinet control of education; trust us," your members are saying, "The evidence of the record is too clear; we cannot trust?"

Ms Sadem-Thompson: Absolutely.

Ms Frances Lankin (Beaches-Woodbine): I truly appreciate your presentation. It's very concise and very clear. I think the issues have been highlighted well. I want to step back and ask you some contextual questions.

Picking up on what you just said, that there is no sense of trust at this point in time, in talking to teachers in my riding, I have a sense of incredible demoralization right now. To be told that they can't be trusted to run the education system, to be told that they're responsible for increasing class sizes and they have to be stopped, the government has to be able to stop teachers from increasing

class sizes just so they can get more money in their salary packets and that the legislation has to allow teachers to spend more time in the classroom — force them to spend more time in the classroom — more time with students, all of that implies to the public an image of a group of people who are overpaid, underworked, care about their own job security and union rights — because that's the other thing they throw in a lot, the unions, not the teachers — it paints a picture.

I firmly believe that this government has set out for a number of months now to create a confrontation with the teachers to bring us to a point where they can characterize this as a fight between good and evil; in their view, good being the government and evil being unions, and the teachers have been targeted. Do you agree with that assessment, and what hope is there for us to try to avert the major crisis that's about to descend on the province when you have a government that has actually provoked the situation?

Ms Sadem-Thompson: Teachers in the province are demoralized. They have been told that they can't be trusted. Bill 160 goes further than that by asserting to put unqualified people into the schools in Ontario when the government has just also set up a College of Teachers that expects a certain level of qualifications of teachers, professional development from teachers, and that they all be subject to the same discipline.

For the government to come out in Bill 160 and say, "We are going to create this whole other group of unqualified people not subject to the College of Teachers," is saying to teachers, "Even though we're going to regulate you by a college, we're going to set up a totally different group." I believe parents need to be concerned about that. They need to be concerned about a government that says one thing on one hand, and on the other, puts something into legislation that is so abstract and so limited to a small group of people to make decisions about that it takes it away from the hands of the trustees, it takes it away from the hands of the parents. Over and over again in the last two years, teachers have been confronted by this kind of legislation, by this kind of dogma and this kind of lack of democracy in our schools and in what we work with with our boys and girls in the classrooms.

Ms Lankin: It really doesn't give a lot of hope to the possibility of a solution being arrived at today if you agree with my premise that there is purpose in the government's strategy of carving out teachers as the group that they were going to go head to head with in order to prove that they run the province. The problem with that is that it's very difficult in communicating to the public what's happening.

I was listening to Mr Johnson this morning saying things like, "This bill is to allow teachers to spend more time in the classroom" and "This bill is to decrease class size." Of course, the bill doesn't do either of those things. It just leaves regulations that someone at some point will make some decisions about, and I think anyone who knows anything about it realizes this is fiscally driven.

How have you found the public response and the parent response? I've been amazed at the level of activity of parents getting themselves educated about this bill as well. Can you comment on what you've seen?

Ms Sadem-Thompson: We know that over a thousand parents wanted to have spots on the hearings with this committee and that they have been turned down. We also know there are people making hearing presentations today and throughout the process whose students, for example, are involved in home schooling, so they won't even be impacted on by Bill 160. Yet they have been given preference and priority over parents who have children in the schools in Ontario.

I say to the parents who have children in our schools and to the public who were educated in Ontario during a time when there was democracy in this province, when parents and the public were heard, that they should be really concerned about this lack of democracy. They should be concerned when the government says preparation time, which is used by teachers to counsel students, to contact parents, to plan the units for the new curriculum that is out there for us to use, to understand the new report card that has a handbook that had to be rewritten by school boards because the handbook doesn't provide enough information to our teachers, preparation time that is used to put together marks and assessments under the new assessment philosophies, to prepare for the new testing in Ontario, to prepare for all of the things that make a difference to our children so that we can have quality education, that preparation time is at risk. That means our children are at risk, and that means the education system in Ontario is at risk.

Mr Dan Newman (Scarborough Centre): Good morning and thank you for appearing before the committee. I've read with interest throughout the various provincial press that several teachers, maybe not from FWTAO but from other federations, are speaking out against what teacher unions are doing. There's one vice-president from a local bargaining unit of the OSSTF in Kingston, Bill Graydon, whom I think you've read about in the newspaper, who has resigned his position in protest to what the teacher unions have done. He basically has said that he wants no part of the hooting and hollering, the we-won't-back-down approach currently being employed by his union.

We have another OSSTF staff president in the Kitchener-Waterloo area who actually wrote a column in the Kitchener-Waterloo Record. His name is Barry Lillie, and he has been a teacher for 28 years and he says: "Most alarming was the way the May 1997 strike mandate was obtained. Our executive told our staff prior to the vote that this would be a legal job action, that it was a legal protest. No one is saying that now. The legal claim was done to obtain support from reluctant staff." He goes on, talking about the federation fearing the loss of the right to strike yet it supports an illegal job action. "Who needs the legal right to strike, if you believe you can ignore contracts whenever you choose?"

Here we have two individuals who are speaking out against actions that teacher unions are threatening.

My question to you is, in the event of an illegal walkout by teachers, can you guarantee me today that no action, no reprisals or no intimidation tactics will be used against individual members of your union who choose to cross the line and not participate in an illegal walkout in this province?

0930

Ms Sadem-Thompson: First of all, Mr Newman, I think you need to refer your questions to OSSTF and to Mr Manners —

Mr Newman: No, I clearly indicated they weren't your federation, but I'm asking —

Ms Sadem-Thompson: — and clearly, Mr Newman, I appreciate your raising the question because I answered that question many times at our affiliate meetings.

This is an illegal protest action and clearly we have said to our members that there is no intention on the part of the federations to take action against those individuals who exercise personal choice to not support the provincial protest action, because this, sir, I say to you, is an act of personal choice. I believe it is an act of courage on the part of the people to stand up to a very undemocratic process, and I, for one, as a provincial leader, as well as my other colleagues, have no intention of taking action against individuals for their personal choice. I appreciate your asking the question.

Mr Newman: I appreciate it. It's the first time I've had a chance to ask you that.

My second question would be, have your members, the members of the FWTAO, had an opportunity to vote by secret ballot as to whether they support this illegal walkout?

Ms Sadem-Thompson: Why would you ask somebody to vote on a secret ballot with no name on it when they have to put themselves in a very difficult position of taking a provincial protest action?

Mr Newman: But haven't some unions had that opportunity?

Ms Sadem-Thompson: The only way, I submit to you, sir, that people will be taking action on this is by taking their feet out of the doors personally. It's a personal commitment that they would need to make. I wouldn't know who had put an X on a piece of paper with no name on it if it were a secret ballot.

Mr Newman: No, I just asked, have you had a secret ballot? That was my question.

Ms Sadem-Thompson: There would be no point in having a secret ballot on this issue, sir.

Mr Newman: So you haven't had a vote of your members to find out if they support it or not? That's what I'm saying.

Ms Sadem-Thompson: The people will vote with their feet, sir.

Mr Newman: You also made a comment that you can't do more for less. Can I ask you if you can do better for less?

Ms Sadem-Thompson: I don't believe education in Ontario should be no frills. I don't believe children should be lined up at a teacher's desk to get their work marked because there are 39 students in the class. I don't believe they should have fewer resources. I don't believe the dollars should be frozen. As we were told clearly during the 39 hours of discussions with the government in September, for the 25,000 new students who are coming into the classroom — we were told by the team there would be no new dollars for any of those 25,000 new students who are coming into our system every year for the next five years.

Mr Newman: So are you saying there are no savings that can be found in the education system at all?

Ms Sadem-Thompson: I'm saying we have more boys and girls coming in. Our dollars in education have been frozen and cut back substantially over the last two years and, in order to deliver services to boys and girls in the province, I submit to you that with the number of immigrant students, the number of ESL students, the number of special-ed students, with the services that parents in Ontario provide, technology that parents in Ontario expect, we cannot do that with fewer dollars and an unknown funding formula that has no dollars attached to it.

Mr Newman: I take that as a no, then.

The Chair: There's about one minute left, if you wish to summarize your presentation.

Ms Sadem-Thompson: I appreciate very much the opportunity to speak with you. I'm clearly disappointed that the eight days originally for hearings have been cut down to seven. Again, that to me is a demonstration that there is a lack of democracy in this process. I believe there are very many people who would have liked to make presentations about Bill 160 and I urge you to reconsider and extend the invitation to the other people who have their very serious concerns to raise about this issue. I thank you for your time.

The Chair: Thank you very much for your presentation here this morning.

Our next presentation is the Ontario Teachers' Federation.

Mrs McLeod: On a point of order, Mr Chairman: I had asked yesterday, and it was genuinely a question because I didn't know the answer, about whether contracts for non-teaching personnel employed by school boards have to be renegotiated if their board is not being amalgamated. I know there is considerable media interest in the answer to this question and I just want to ask Mr Smith whether he has had a chance to get some clarity on that.

Mr Bruce Smith (Middlesex): We've placed the question and I'll attempt to secure the answer for you as soon as possible. It's forthcoming.

ONTARIO TEACHERS' FEDERATION

The Chair: Good morning. I'd ask you to identify yourselves for the purposes of Hansard and then proceed.

Ms Ruth Baumann: I'm Ruth Baumann, senior staff of the Ontario Teachers' Federation. With me this morn-

ing is my colleague David Aylesworth. Our president, Eileen Lennon, and the secretary-treasurer, Susan Langley, are unable to be here this morning because of meetings that are occurring, while we talk, with the government. So we're the designated hitters.

The Ontario Teachers' Federation is pleased to have the opportunity to appear before the standing committee to present its concerns and recommendations on Bill 160. The federation represents 124,700 teachers, all of the elementary and secondary teachers in the publicly funded system in Ontario: public, separate, francophone, English.

The Ontario Teachers' Federation is a statutory body established under the Teaching Profession Act by the government of Ontario to "promote and advance the cause of education, to promote and advance the interests of teachers, and to secure conditions that will make possible the best professional service."

On October 5, World Teachers' Day, Jan Eastman, the president of the 245,000-member Canadian Teachers' Federation, noted:

"As perhaps never before in our history, teachers today are providing a relevant, stable learning environment in a world often characterized by rapidly shifting social values, major technological and curricula changes, education restructuring, and a family environment too often marred by a climate of stress, poverty and violence."

That the school system today functions as well as it does is largely due to the skill and dedication of its teachers.

Reduced resources and rapid change are not new to Ontario schools. The pace of change is taking its toll. Today an atmosphere of instability pervades schools and the system as a whole is nearing a state of crisis. There have been at least half a dozen major curriculum changes in the past 15 years that have undermined the stability and credibility of the system and forced the diversion of valuable resources to facilitate implementation, or in other cases have gone forward without resources for implementation and then been criticized because they weren't well implemented.

Since 1993, the number of teachers in our schools has declined by 7%. During that same period, however, the number of students has increased by 8%, bringing about an effective increase in the pupil-teacher ratio of 15% as a direct result of reductions in provincial expenditures. Between 1991-92 and 1995-96, per pupil expenditure in Ontario dropped by 5%. Support declined again last year and again this year.

Teachers are now retiring as early as possible. June 1996 retirements were 57% above projections. The number of applicants to faculties of education has declined from 10,000 in 1996 to 6,500 in 1997.

Ontario's ranking, based on per pupil expenditure, against Canadian provinces and territories, the 50 states of the United States and the District of Columbia, has fallen from 42nd of 63 in 1994-95 to 49th today. We're just ahead of Alabama, Louisiana, Mississippi and Arkansas.

Bill 160 is a blunt instrument designed to facilitate the removal of an additional \$1 billion from the education

envelope and to centralize control of education in the hands of the provincial government. If the goal of the government is to reduce costs and improve achievement, the experience of the private sector strongly suggests that this approach won't work.

Judith Gibson, senior research associate of the Conference Board of Canada, in a recent article, *A Decade of Private Sector Restructuring: Lessons for Educators*, notes:

"Consistently, that research shows that those organizations which have been most successful regularly distinguished themselves in three fundamental areas:

"They brought a long-term perspective to restructuring decisions, with a compelling view of the future they are moving towards;

"They had a strong focus on people, treating employees as assets rather than costs;

"They responded to pressures to cut costs as opportunities for strategic repositioning, in response to changes in their markets.

"Overall, available research indicates that the most common downsizing strategy employed by firms - rapid, top-down, across-the-board workforce reduction - is the approach most strongly correlated to declines in organization performance and effectiveness."

We believe this will be the effect of Bill 160.

Lessons from health care: Cuts without redesign have compromised the ability of Ontario's health care system to respond adequately to the needs of its clientele. Daily stories chronicle the plight of individuals denied proper and appropriate care.

The recent study by the team of management researchers from the Richard Ivey School of Business at the University of Western Ontario concluded that merger, restructuring and reorganization on a tight time line with drastically slashed budgets is an impossible task. The researchers further noted that effective multiple, simultaneous forms of change require careful planning and longer time horizons. Education today is faced with multiple, simultaneous forms when you include new bargaining rules, restructured school boards and new curriculum at the same time.

0940

Research into the effects of de-skilling hospital staff shows less than positive cost-benefits due to the high turnover and a drastic reduction in the overall quality of health care. the replacement of nurses with less qualified and unregulated staff has not produced the expected savings. These lessons should not be lost. Once the system is taken apart, it's difficult to put it back together.

Education in crisis: Teachers are dedicated, caring and hardworking. They believe strongly that their efforts can make the world a better place to live in. They are absolutely committed to helping their students be the best that they can be. They are opposed to the dismantling of the education system. They have dedicated their lives to that system. That opposition is absolute, universal and unequivocal. Teachers know that unless they stand united now, the system they have helped build, the schools they

work in, and with it the education of the students both currently in their care and those who will follow, will be irreparably damaged. Large numbers of teachers are taking pen in hand to express their opinions. They're eloquent in their frustration, their resolve and their anger.

Deborah Pappas, a teacher, in a letter to the editor of the *Toronto Star* published in September wrote:

"As a classroom teacher, (not a 'union boss'), I have had to contend with the contempt shown to my profession by this government for some time now.

"Teacher bashing as a public sport is disheartening, to say the least, but as government policy it is unconscionable.

"The hostile disrespect that...the government...aimed at teachers (and in fact all workers) is unprecedented.

"The relentless attacks on the teaching profession and attempts to gut the education system (in the guise of 'improving' it) have served only to unite and to mobilize teachers, a segment of the workforce that traditionally has gone about its business quietly, without much fanfare and despite difficult circumstances."

Lesley Hooton, a grade 1 teacher in Mississauga, had a guest column published in the *Mississauga News* in early October. I'll highlight some of the things she said. It was crafted as a letter to whoever might be called in to replace her in the event of a provincial protest.

"To my replacement worker: Welcome to room 3. You have the good fortune to be working with a truly amazing group of grade 1 students. You also face the awesome challenge and responsibility of instilling in these children a lifelong joy of learning and discovery...you will need to love these children as much as I do, for you must spend countless hours researching ever-changing curriculum documents, and writing up on a yearly, monthly, weekly and daily basis how to combine all these new initiatives into a complex and age-appropriate program.

"You will need to keep the parents regularly informed of their children's progress. This will involve many more hours of your own time, making phone calls and writing weekly newsletters.

"You will need to be truly and unselfishly committed to creating a rich, warm and exciting learning environment for these children. This will involve spending thousands of dollars of your own money to properly equip the room with manipulatives, educational toys and concrete teaching aids.... You will need to count on the generosity of our increasingly overburdened parent association to provide 'extras' such as craft supplies, computers and software, new textbooks, performing arts and subsidized excursions.

"As you can see, although Mr. Snobelen" — the then minister — "assures us that cuts to funding will not affect the classroom, they already have.

"I wish I could be in my classroom today, but I know I must be the advocate for these young children who cannot address these issues on their own. I must do this despite constant contemptuous, demoralizing and misleading press releases from my education minister.

"So, take care of my precious 'munchkins,' and love them with all your heart. Do whatever it takes to continue making grade 1 a happy, exciting world."

Teachers are not opposed to change. Teachers are not opposed to restructuring. Teachers will support strategies that are good for children and good for schools. Teachers will oppose proposals that are not.

Every teacher in this province is committed to the delivery of programs designed to provide meaningful improvement in mathematics and language skills, but the downsizing and restructuring initiatives of the Ontario government are predicated on a desire to put Ontario's financial house in order. Progress toward this objective has been steady and is now within reach. Further sacrifices on the altar of fiscal restraint are no longer required. From a fiscal perspective, the sole reason to cut expenditures in education yet again is to fund the next tax cut.

We'd like now to address briefly the bill itself. We believe that the bill is more about centralizing control and establishing who's in charge than it is about downsizing the profession and saving money; as much or more. It uses the same flawed blueprint as the government has used in health care, back to the multiple, simultaneous forms of change. The simultaneous amalgamation of school boards, implementation of major curriculum revision and introduction of dramatic changes to bargaining legislation are a recipe for disaster.

This bill proposes the enactment of provisions that would vest unprecedented regulatory authority in the Minister of Education and Training and with cabinet in respect of matters that directly impact on the manner in which education is provided. I would comment further that the regulatory authority, while the government has claimed it was for some very narrow purposes, when we come to issues like certification of teachers, is so broad as it's written in the bill that it would allow grade 3 teachers to be replaced and English teachers to be replaced. This regulatory authority would control a number of fundamental working conditions for teachers and would interfere with freely concluded collective agreements.

In no other sector of our society has a government sought so extensively to interfere with fundamental collective bargaining rights or to undermine freely negotiated collective agreements. The response of the Ontario Teachers' Federation and its affiliates to this legislation is based on these principles. Ontario's teachers are committed to the highest possible achievement for our students. Teachers are committed, and believe Ontarians are committed, to a universally accessible public education system equipped to provide the best education in Canada.

School boards must maintain their constitutional right to tax in order to be meaningful partners in any and all education decision-making.

We believe that teaching is a profession with a professional body of knowledge and professional standards. Ontario students deserve to be taught by teachers who possess that knowledge and who meet those standards. This means that every teacher in an Ontario classroom

must be a duly recognized and certified teacher subject to professional standards and discipline.

It is a fundamental right in a free and democratic society for employees to be able to negotiate all terms and conditions of work with their employers. In education, those terms and conditions include class size, the time assigned to teaching duties, the time available to prepare lessons, assist students and consult with parents and other professionals. The provisions of collective agreements freely negotiated between employers and employees must be respected.

Restructuring in education must be for the benefit of students and must not adversely affect services and programs. Transitions must be smooth, providing the basic security necessary for students to learn and teachers to teach. Bill 160 in its present form will not allow smooth transitions.

There are alternatives the government can and should consider: to guarantee that there is a qualified, certified teacher in every classroom; guarantee that teachers continue to bargain all terms and conditions of their employment directly with their employers; keep to a minimum the regulatory control of the provincial government; recognize that our publicly funded school system is a shared trust among parents, teachers, communities and governments which is held on behalf of all Ontario students; maintain the Ontario Teachers' Federation as a statutory body under the Teaching Profession Act, with responsibility to promote and advance the cause of education, to promote and advance the interests of teachers and to secure conditions that will make possible the best professional service — Ontario benefits from an OTF that blends and unifies the voices of all the teachers; amend Bill 160 to allow OTF to retain responsibility for the collection of fees; and amend Bill 160 to require that occasional teachers belong to OTF.

The next 30 pages or so of our brief are the actual section-by-section analysis of the bill with suggestions for amendment, deletion and discussion. We are not going to go through those. I will move to the conclusion so that we hopefully will have time for some questions.

0950

In conclusion, then, Bill 160 is badly flawed. It purports to improve the quality of education while minimizing costs. In reality, we believe it will centralize control, reduce costs and downsize the workforce. The simultaneous amalgamation of school boards, the implementation of major curriculum revision and the introduction of dramatic changes to bargaining legislation in conjunction with massive funding cuts and workforce downsizing will result in a less productive, less effective public education system.

In the last two weeks, Environics has been in the field with their Focus Ontario omnibus survey. For the first time ever, as far as I know, education now has a number 2 spot for the issue of greatest concern to Ontarians, after unemployment. For the first time in more than two years, education has supplanted health care as the number 2 concern. Improved education with fewer resources is not a

realistic goal. You can have improved education or you can have cheaper education. You cannot have both. The education of our children is too important to get it wrong. Thank you.

Ms Lankin: I appreciate your presentation. The issues you raise are clearly ones of common concern to a number of parents' organizations and teachers' federations that have been coming forward. I find myself at this point in time almost wondering what we're doing here. In these hearings we hear over and over again the specifics, that what the bill does is not what the minister says it does, what the goal of the government is, to take more money out of the system, and I support your interpretation of that. But the government members over there will say, "Oh, no, that's not what we're going to do," but they don't know what they're going to do because it's all to be done in regulations by cabinet and they're not members of cabinet, so I wonder what we're doing here. There's a sham of a process going on.

I suspect, if there's a resolution to the issues and challenges of reforming education and to the differing views of whether or not the government's initiatives at this time have anything to do with quality of education, they're going to be resolved someplace else other than in this room, around this committee table. They're going to be resolved in the discussions that are taking place between your organizations and the government, I hope. If not, they're going to be resolved on the streets and as a result of what and where public opinion and parent opinion come down.

Can you comment on where you see us at this particular moment? Your principals are meeting with the government. Failure to get any kind of movement from the minister at this point in time, at least an acknowledgement about what is really in his bill instead of the rhetoric we've been hearing, could lead us to work action as early as two days from now, as I understand it. Is there anything that can be done to take us a step back from the brink of the crisis right now and allow some cooler heads to prevail and the government to rethink its position?

Ms Baumann: I think our principals made it very clear to the minister yesterday that there were some key issues on which they believed he needed to step aside, in terms of what was in the bill, that they've been synopsized as the regulatory power. I think they've been specified as the issues that intrude directly into collective bargaining: the issues of opening up who can teach to unqualified people, of attempting to regulate issues such as assigned teaching time, planning time and class size, some of the critical ones that needed to be resolved in order to talk fruitfully about how to get on with making it a better system.

Ms Lankin: Can I ask you one other question on that? What about the funding formula and the budget? It seems to me those are the two key pieces that are absolutely missing from this debate. We keep talking about this bill as fiscally driven, and the government has successfully hidden under a shroud of cover over here what the actual fiscal numbers are, so we're left without all the information on the table.

Ms Baumann: It would be very helpful to us if we knew what the new funding model looked like in detail, as opposed to the conceptual model that has been put forward. I think we're as frustrated as the school boards and others in that we don't yet have those answers. I think it would be extremely helpful. It certainly doesn't help the process not to have that information.

If I can answer your question, though, about the purpose of being here: It may be that through this discussion and this public forum it is at least possible to identify some of those issues where the language in the legislation does not match the language that's being used around the intentions, the areas where the language in the legislation is so broad and so wide open and the power that's there is so sweeping that while a government today might wish to put limits on class size, a government in the future could decide to increase class size, that sort of thing. I think that is always a useful process.

Ms Lankin: Thank you very much.

Mr Newman: Thank you for appearing before the committee today. I just have a question. I'm sure you were here for the last presentation and I'm going to ask you the same question.

Some individual teachers across the province do not support an illegal walkout by teacher unions. There is one OSSTF vice-president in Kingston — I'm sure you're well aware of him, Bill Greydon — and another OSSTF staff president in the Kitchener-Waterloo area who has made some comments in the paper. My question to you is: In the event of an illegal walkout by teachers, can you guarantee us here today that no action or reprisals will be taken against those individual teachers who choose not to participate in an illegal walkout?

Ms Baumann: I can certainly guarantee you that the organizations will take no actions against those individuals.

Mr Newman: But you have not —

Ms Baumann: I can't tell you whether their colleagues will be angry.

Mr Newman: So it's quite possible their colleagues could be upset if they —

Ms Baumann: Yes, I would think it's quite likely, but the organizations have made it very clear that they cannot take any action and have no intention of taking any action.

Mr Newman: We've heard that it's a personal choice on the part of teachers. Are you doing everything you possibly can to ensure that those teachers who choose not to participate in this illegal walkout will not have any harm done to them?

Ms Baumann: I wouldn't expect them to have any harm done to them. I think I've answered your question. I've said the organizations have made it clear they will not in any way attempt to discipline people or anything else for not participating. How human relationships work at the grass-roots level in Meadow Valley Senior Public School is going to be a matter between those human beings.

Mr Newman: Can you enlighten me as to which of your affiliates would have had secret ballot votes to de-

termine whether their members wanted to participate in an illegal job action?

Ms Baumann: To the best of my knowledge, the only one of the affiliates that undertook a vote was the Ontario Secondary School Teachers' Federation. It has been the position of the other organizations that this will be an act of conscience and that people will, as the person who was here earlier said, make their decision with their feet.

Mr Newman: When was that vote held?

Ms Baumann: They had a vote I believe in May.

Mr Newman: That was before Bill 160 came in.

Ms Baumann: It was before Bill 160. I don't have the wording of the question in front of me. "If the following kinds of things happen, would you be prepared to" was the way the vote was worded.

Mr Newman: I've heard that vote was actually about a legal protest.

Ms Baumann: I don't believe that's true. I think it was very clear it was talking about a provincial action that would not be in the context of normal collective bargaining.

Mr Newman: You also touched upon health care in this province. You mentioned individual cases. What's interesting is that there was recently a case in Sarnia where some comments were made by a family member about the quality of the health care system. The individual's spouse actually held a press conference the next day to say that the health care system in Ontario is doing quite fine. We're spending \$18.5 billion on health care in this province, and that's in spite of over \$2.1 billion in cuts from the federal Liberal government.

I think we're doing a very good job here in health care in this province by reinvesting each and every dollar — in fact, each and every penny — that's been found in waste and duplication and reinvesting it right back into the system. We see now that we'll have about 36 MRI machines in Ontario, which is far more than the rest of Canada combined. So your comments about the health care system I think are not valid.

1000

You also talked about the tax cut. There was an interesting article by a former Liberal policy adviser, Patrick Monaghan, I think is his name. He worked in the Premier's office for David Peterson. It was in the *Globe and Mail* and it actually said that the tax cut is paying for itself, that by lowering taxes the government of Ontario, in other words the taxpayers, have more revenue coming in with lower taxes. We saw, over the 10 years ending in 1995, that 65 tax hikes in this province brought less revenue to the government and the taxpayers of Ontario.

In addition to people being able to keep more of the money they earn in the first place, those tax cuts have also created jobs in this province. We have almost a quarter-million more people who are working today in this province than in June 1995, so I think that's something to keep in mind.

Mrs McLeod: It's somewhat unbelievable to me that 2.1 million kids are on the verge of being out of their classrooms and we're talking about whether the tax cut is

paying for itself. A simple commitment by the Premier to reinvest any savings in education would have helped. Some recognition by the government of what FW just told us about the 25,000 students the government refuses to acknowledge for funding purposes might have helped, but not a discussion about whether the tax cut is paying for itself.

Ruth, I don't know which one of us has been around longer. My hair is greyer than yours. I can think of lots of discussions about disagreements between boards and teachers and between governments and teachers. I can think of lots of areas where there was cooperative effort that I think did some really good things. We've seen enormous changes, but I don't think either one of us ever imagined that teachers would be pushed to the point they are at today. If I'm feeling emotional about it this morning, I can well imagine how you're feeling and why that brings you to tears.

What I want to do is reiterate for any people who think this is "the unions" the statements you've made about how teachers are feeling today, so bear with me. I want to re-read your own statement.

Teachers "believe strongly that their efforts can make the world a better place to live in. They are absolutely committed to helping their students be the best that they can be.

"Their opposition to the dismantling of the education system they have dedicated their lives to is absolute and unequivocal. They know intuitively what the research demonstrates, that what is destroyed by slash and burn cannot be restored by after-the-fact restructuring. They know that unless they stand united now, the education system they have helped build, and with it the education of the students both currently in their care and those who will follow, will be irreparably damaged."

Then the incredibly moving statement of the grade 1 teacher who said:

"I wish I could be in the classroom today, but I know I must be the advocate for these young children who cannot address these issues on their own....

"So, take care of my precious 'munchkins,' and love them with all of your heart. Do whatever it takes to continue making grade 1 a happy, exciting world of learning and adventure for them. I'll miss them deeply and can only hope that my devotions to my profession of 28 years and my actions of today can open up people's eyes to the wanton destruction to the education system my colleagues and I have worked so hard to develop."

Do you think those kinds of truly heartfelt statements from people who have devoted their lives to teaching kids for 28 years can help the public to realize what is really at stake here?

Ms Baumann: I certainly hope so. On the weekend I happened to be down in London at the Progressive Conservative policy convention, as part of my other duties in my job of working on government relations, and had a chance to talk to a number of teachers who were delegates to the convention who would style themselves I think as good Progressive Conservatives. They were as angry

about some of what's happening right now as any teachers I've talked to. They were truly upset. They were saying to a number of us that they had spent the weekend talking to people at the convention about their concerns.

I was struck, in the policy discussions, by how little talk there was about cutting. There were recommendations from discussion groups about restoring junior kindergarten funding, about providing students with textbooks.

I think there is a level of public concern and concern among the teachers that is deep and profound. I'm concerned right now that the teachers feel very badly hurt, that teachers at this point did not distinguish, despite the hopes perhaps of the government, between statements that the system is broken and that the teachers aren't doing a good job, despite the fact that many people tried to tell me on the weekend that that was in fact the case.

When somebody tells a teacher that the system's broken the teacher says, "You're telling me I'm not doing a good job." It's a simple equation in the teacher's mind, because the teachers believe they are the system. Some of us know that there are bureaucracies and rules and provincial stuff and all the rest of that, but from the standpoint of that person in that grade 1 or grade 7 or grade 12 classroom, the system is their daily lives. To say that the system is broken as often as it has been said has provoked a very angry, very hurt response that I think is going to be very difficult to deal with.

The Chair: Thank you very much for your presentation here today.

ONTARIO CHRISTIAN HOME EDUCATORS' CONNECTION

The Chair: Our next presentation is by the Ontario Christian Home Educators' Connection. All members of the committee should have received a written brief. Good morning. For the purpose of Hansard, I would request that you identify yourselves and then proceed with your presentation.

Mrs Colleen Takahashi: Thank you for allowing me here this morning. People have been here a long and weary job, and I appreciate this. Sometimes I've seen animals at the zoo that look more enthused. I think you're all just worn out. But I appreciate having this opportunity to speak today. My name is Colleen Takahashi, and I'm a regional representative for Ontario Christian Home Educators' Connection. We call that OCHEC. It's a provincial organization for home schooling families.

Home schooling is becoming more of a growing choice for education choices in many families in Ontario and all across North America. There's approximately 60,000 families educating children at home in Canada, and most of those families belong to local support groups that provide positive socialization, field trips, group learning and activities. The local support groups join together to join the provincial organization of OCHEC. From that larger network, we can provide training and workshops, curriculum fairs and conventions.

When we're referred to as home schoolers, many people think of us as a family that keeps our children cloistered in our homes and they never see the light of day. That's not the reality, because we're more involved in the community and in family learning and taking advantage of a lot of diverse opportunities. I'm a teacher who's not in any fear of my class sizes growing and expanding unless I become pregnant, and if I want to increase my budget, we eat more hamburger.

Home educating children is not a vocation for the faint of heart or those who aren't willing to take a lot of initiative. It's not an option for every family, but my rights to choose this alternative form of education should be protected. Home education has provided a dynamic avenue for learning, an opportunity to discover and learn with our children and to see them catch a spark of interest and fan it into a flame of excitement that lasts a lifetime.

The whole point of education is to have that, isn't it, children who love to learn and are excited about new knowledge and growing and discovering new things every day. As a parent I want to ensure that learning is taking place, that my children are well prepared for the future, that they have the skills they need, that they will know more than just how to fill in the blanks; that they have problem-solving skills and be articulate and able to develop debate and insights.

Let me clarify a few misconceptions. Home schoolers are not all radical fundamentalists, but most are family-centred, with high values and expectations. These families' main reason for learning at home is not an anti-school thing. Many of the things in the system we don't agree with, but it's not the major decision for not participating in the public school. Those people who choose that option usually end up sending their kids back to school.

We do not dislike or mistrust teachers. In fact, the more we home school, the more we sympathize with teachers and what they have to deal with in a class of many diverse challenges.

It's not only fringe-type people who home school. The Internet and technology will make home learning more and more mainstream.

1010

There's been a lot of controversy about why I was invited to speak here. Why have somebody who has opted out of the public system come here to speak about issues relating to the public school system? Well, I am the epitome of a concerned parent. If I'm willing to say no thanks to free education, to free curriculum, if I'm willing to give up a career in finance and a head of hair for grey ones, I am a person who is interested in educational issues. The OCHEC community is very interested in the nuts and bolts as well as the administration and the cost-effectiveness of education.

One of my major concerns for Bill 160 as a parent would be the centralization of decision-making. The further that decision-making is removed from parents, the more difficult it is for parents to make the needed changes. No one wants a child's class to be less effective by having large classes or ineffective teaching, whether that's

certified or non-certified people. But who better than a parent to keep an eye on the teacher's effectiveness and the curriculum content and on things like cultural diversity?

In our family situation, we're able to specialize learning for each child. If something doesn't work, we find an alternative that does. This is impossible within a huge system. The larger the system, the harder it is to change direction. This is where parental input within the school system can customize the teaching for children.

I feel very strongly that parents need more avenues to input ideas and concerns into their local schooling situation. I would like to be assured that Bill 160 would include amendments that parents have the right, responsibility and authority to choose the education system or alternative for their children and have the ability to affect educational choices.

Governments don't love our children, although they feel they have the responsibility to ensure excellence in education. And teachers don't actually love our children, although they have abilities and talents to direct their learning. Parents, however, do love their children and do have a vested interest in the wellbeing and best interests of their children. Parents want their children to succeed and excel, so let's give parents the authority to be watchdogs and consultants concerning the issues of education. There are lousy parents, just as there are lousy drivers, but we don't make everyone use public transit because of a few bad drivers. Let's not take parents out of the driver's seat of education because of a few disinterested parents.

This is the part I want you to listen to. I believe the only way to make the educational process truly accountable is to use this triad of interests. Using the passions we have and that we have seen in the last week or so, the parents, the teachers and the government can work together and use these dynamic tensions to really make an impact, to make the best for our children. I think it's only this tension that's going to hold it together. Rather than the survival of compromise concessions, let's look at the possibilities of truly working together. Parents need the power to make changes. Thank you very much.

The Chair: Thank you. We have at least five minutes per caucus remaining. We'll start with the government caucus.

Mr Smith: Thank you for your presentation this morning. It's been with some interest over the course of yesterday —

Ms Lankin: Excuse me, Mr Chair. Before we proceed, do I understand there is a second part to the presentation?

Mrs Takahashi: He has another 10 minutes.

The Chair: I'm sorry. Thank you very much, Ms Lankin. Please proceed.

Mr Jake Zwart: I'm Jake Zwart, and I also represent OCHEC, the Ontario Christian Home Educators' Connection. I'm secretary of the board. This board in Ontario represents roughly 25,000 children who are taught at home by their parents. Many of the things I'm going to talk about would represent private education interests as well as home education interests.

What do we want our system to do? Our interest as parents is to call our children to their highest and best. We believe and have evidence, as Colleen mentioned and as shown in this study, that home schooling does this. Home schooling children are consistently at around the 80th percentile compared to the population at large.

The Ontario system, however, is one of the poorest in Canada and in the industrialized world, as shown by the little leaflet that the government mailed out. Is the provincial public education system calling our children to their highest and best? The answer is an obvious and emphatic no.

What is the reason for this? The reasons are myriad and too complicated to get into here, but a lot of them are addressed in this book, which I would like to leave with you, called *The Right Choice: Home Schooling*. It goes through the history and gives a lot of those reasons.

What's actually required in the classroom? It's effective instructional time. I don't believe it's necessarily more time; it's more effective time, where the children actually get down to the nitty-gritty of learning. Part of that is class discipline. We need to expect our children to work. Over the years, if we look at from 1900 to now, in general class discipline is much worse than it has been.

The other aspect we hear so much about is self-esteem. I believe children get self-esteem from successfully completing a challenging curriculum, not from patting them on the back and saying they're okay when they're not really mastering challenging material.

In light of this, is change required? I believe the answer is yes. Who should have the authority or power in a changed system? We could ask, where does the education dollar come from? No, it's not really the government; it's the people who give their taxes to the government. Who has the greatest vested interest in the education of our children? Colleen said it so well. It's the parents, the same people who pay the taxes to educate the children. I believe parents need the ultimate authority in educating their children. They're the ones who pay the dollars and they're the ones who have the greatest vested interest.

Does Bill 160 measure up? It does effect change, and I laud the government for attempting to bring our education system up to par with the rest of Canada and the rest of the industrialized world. It does take power away from local boards and teachers' unions. Who does it give the power to, however? When I scan the bill, I see that the power goes to the Lieutenant Governor. Orders in council can change almost anything. I did a scan, and there are at least 65 places where the Lieutenant Governor can change things. Taking even the best-case scenario, where I can say I fully trust the current Tory government to make the changes required, I'd like to ask you, or Dave Johnson, would you trust the next elected government — say it's another NDP government — with all the powers within this bill? Are they going to take the interests of our children?

There's also the possibility of a cabinet shuffle and totally different people. Even if I can say I trust the current players, if there's a cabinet shuffle, could I say I trust

those players? My experience with government is that it's not likely.

So even if we retain the bill as it is, I'd like to say the Lieutenant Governor's powers should be curbed after a fixed time period.

1020

Another concern of home schoolers is the little-talked-about section 266, where the Ontario education number for each child is brought forward. I believe this will give the government unprecedented powers to track our children — what they think, what they believe. Do we really want to bring George Orwell's 1984 a step closer? I think not.

Section 266.2 states that the minister and prescribed educational and training institutions are authorized to collect, directly or indirectly, personal information. They can go behind parents' backs to collect that information. They can administer tests in schools that are designed to collect family information. Your government may not do this, but who is to say that won't come, down the road, with another government?

In the past, there has been a move towards outcome-based education, where the state wants to prescribe what each child will be like when they come out of school. As a parent, I cannot give that type of authority to the state.

The education number can easily be expanded to where it's something that's required before a child can enter the workforce or a post-secondary institution. In fact, the section contains provisions which can require the use of education numbers by prescribed educational institutions. This will be a blatant case of discrimination against home schooled and privately schooled children, who won't have this education number. In light of this, I request that you delete section 266 from the bill.

Provincial testing: A quick scan of the bill does not specifically mention province-wide testing, but a lot of the advertising surrounding the bill and improving the education system talks about province-wide testing. In fact, John Snobelen's statement on September 22, 1997, contained that statement. We, as private and home schooling parents, don't have anything to fear about testing in and of itself. Again, I hold this up to show that in general we are the 80th percentile. What we want to retain, however, is our right and control over what test is used and where that test is administered. For us, this means the home school mom and dad would administer the test and be able to select the test. One of the dangers of a state-mandated test is that it will ultimately determine the curriculum.

Another thing I don't see enshrined in the bill is parental involvement. There will be advisory commissions, but they don't have any authority to effect change. One of the best systems in the industrialized world is in Switzerland, where the parents have the right to hire and fire teachers.

How does this bill otherwise affect home schoolers? The Education Act states that children between the ages of 6 and 16 must attend school. One of the exceptions in the act is that if a child is receiving adequate education at home, they don't need to go to one of the public schools. In cases where the boards have been overstepping that

authority, the courts have consistently reined them in. As home schoolers, we need to retain the protection of this very good law. The best legal advice I have is that Bill 160 does not affect this part of the law. I do, however, have some concern with the possibility that an order in council may change this. My question is whether the Lieutenant Governor can change that part of the Education Act. I also request that you add a section to Bill 160 that affirms that parents have the right and responsibility to direct the education of their children.

The Vice-Chair (Mr Doug Rollins): Thank you. That doesn't leave us a lot of time, but we have about three minutes per caucus. We start off with the Liberal caucus.

Mr Smith: I think it starts here.

The Vice-Chair: The Chair has Liberal, NDP and government.

Mrs McLeod: I think it is government.

The Vice-Chair: Okay. We'll give him the dickens when he comes back. We'll see that that happens.

Mr Smith: My thanks to Ms Lankin for her intervention so we could get the full presentation.

Over the course of the last day or so, we've had a couple of occasions where presenters have suggested that because you have effectively opted out of the public education system, you have no right to appear before this committee. I was wondering, recognizing that you did address that in part, what your comments might be to that suggestion.

Mrs Takahashi: It has been interesting. I've had a chance to talk to some teachers' unions since. When they heard our explanation that we were concerned parents and were concerned enough to at this point opt out of the public system, they understood that we did have a place here because we are very familiar with what's happening with educational issues. Just because we teach at home doesn't mean we don't keep an eye on what's happening with the system. Home schooling parents are very much up on the Education Act and the laws and how those things affect us. I think we are very qualified to be here, and I think we're also very interested to be here.

Mr Zwart: I'd like to add that we haven't opted out of education. We've opted out of the public system, but we're very much involved in education.

Mr Smith: You also suggested that parents need to have the power to make changes, and Bill 160 effectively mandates advisory school councils. What, in your opinion, would be the extent to which parents should have roles and responsibilities in terms of the level of decision-making within the school facility?

Mrs Takahashi: I was thinking last night, at 2 o'clock in the morning as I was working on this, that I wish I had more time to spend looking at those responsibilities that should be assigned to each partner in this decision-making in the education of our children. I think parents need the chance, when they see something happening in their classroom, to not be intimidated and to say to perhaps their principal or school trustee or all the way to the Ministry of Education: "This isn't appropriate. This isn't good enough. This isn't the high standard we expect for our

children." I don't see that that happens. I think parents are often bullied and told, "Now, you just be quiet and go home and make your little chocolate chip cookies for the bake sale." I think they need to be assigned a certain process they can go through to effect some changes, and I think those checks and balances need to be set out in this bill.

Mr Smith: Time probably won't permit me, but if I could, Mr Zwart, recognizing the comments you made about the Ontario education number, I'd like to share with you some further information in terms of the expected benefit of that number and would welcome your further comments on the proposal in the bill.

The Vice-Chair: We'll switch over to the Liberal Party now, because your time has expired.

Mrs McLeod: Thank you very much, and I do appreciate your being here. I think it's important to put in context questions about home schoolers presenting to this committee. There would not have been questions if there hadn't been a change in the process and a concern about whether or not, on the minister's rather exclusive list, there was disproportionate representation of those who had chosen alternatives to the public system over those parent groups which have chosen to work within the public system. As you know, it was a list on which only invited people got 30 minutes. As it turned out in yesterday's hearings, we were able to hear from a number of parent council representatives, albeit with a 10-minute slot. But that was the concern, that there appeared to be an imbalance in the selection process.

Nobody would question your concern or your commitment to your children — that's obvious — in the commitment you've made to home schooling. But I think there is a realistic concern to make sure that those who have chosen to work for change within the public system on parent councils should be well represented at these hearings.

I appreciated the specifics of your presentation. I would be as interested as you in hearing Mr Smith's explanation of why the student number is there, because I don't think any of us are quite sure why it's there or what it's going to be used for. I trust the government will note your concern about whether or not home schooling should be very specifically protected under the act.

I can tell you that there was a very high degree of consensus between your concern with the increased centralization of power in the hands of cabinet through orders in council and the concern of every parent who presented to our committee yesterday. I hope that's a message the government is hearing, that no parents are comfortable with the decision-making for education being so far removed from the parents who are so intimately involved with their children's education. I think one parent counted it, and actually found 186 areas in which the Lieutenant Governor in Council can make orders in council that would change education without any public debate. So your point is very well taken.

My question would be whether or not Bill 160 provides anything positive from a home schooler's perspective. You said that at 2 o'clock in the morning you weren't sure you

had time to think of ultimate visions, but I was wondering where you might see the role of school boards, for example, in an ideal world in the future, from your perspective.

1030

Mrs Takahashi: In an ideal world, teachers and home schoolers would work together more effectively than they do right now. I think at this point home schoolers often view teachers as all being part and parcel of the Ministry of Education. As soon as we say, "Can we share your resources? Can we help you? Can we bring our resources of home schooling into your classroom?" we are automatically put under some of the jurisdiction and some of the requirements that the Ministry of Education or the local board would put on us. We can't share in the way we should be able to. If my family has done a wonderful study that would complement a study a teacher is doing, if we have spent months collecting bird nests, we should be able to bring that into our local classrooms and say, "Let us share our bird nests and what we have learned." That can't happen right now. I think there is a real sharing process that could happen there. At this point, both of us have to hold each other at arm's length and mistrust each other.

I got quite a chuckle when the teachers' union thought we were pro-government. I said: "Pro-government? We choose not to take any money from the government. If they offered us money, we'd say, 'No thanks, dear, we'd really rather not have any.'" We don't view ourselves as pro-government; we see ourselves as preferring to be held a little bit away, and we will choose to be accountable, because we're the parents, the end consumers. We don't need to have the government watching what we do, because we're watching what they do.

The Vice-Chair: Thank you very much. We'll move on to the third party.

Ms Lankin: I truly appreciate your presentation. Just before I begin, I would like to ask, Mr Chairman, if we could ask the parliamentary assistant to provide the committee with an explanation for the Ontario student number, with a list of its intended use and any restrictions the bill places on it, because I don't see a lot of restrictions. Also, I'd like to know whether there has been a review of this provision by the Information and Privacy Commissioner; if not, I think we should seek that advice as well.

The Vice-Chair: We'll ask for that.

Ms Lankin: Thank you. I was interested by the last comment you made in terms of the possibilities that exist of a greater sharing between home schoolers and the public education system, particularly in the area of resources. I was thinking of the important role family resource centres can play in the area of early childhood education as a link between organized child care centres and home care of different types, in the ability to come in and share resources and gain support. There is a model there that could be quite exciting. It's just a comment on what you've said.

The question I have comes back to, as Mrs McLeod says, the fact that many of the concerns you've raised are very similar to many of the representatives of parent

councils who have been before the committee. It's a concern about the need to clarify the role of parents, to ensure that there is a meaningful role and a way to have input into the system that is listened to and can effect change where that is necessary. The concern those parents have raised is a concern about decision-making being taken further and further away from the individual classroom and local community setting; how, if all the decisions are being made by a cabinet advised by a Minister of Education, it's next to impossible for parent organizations on a local level to meet and influence that decision-making.

Mrs Takahashi: We could go on strike.

Ms Lankin: There's a possibility.

I was just wondering if you could comment on that. Mr Zwart, you spoke to this point as well, about the regulation-making power, the decision-making being taken further away from the locale where education is taking place, where the kids and the educators and the parents are, even if educators are parents, where the interests are very focused. Could you comment on that?

The Vice-Chair: You have less than three quarters of a minute.

Mr Zwart: People who are closest to the child are the best able to defend the interests of the child, to prescribe the curriculum. I agree with you that the further it gets removed, the more likely that people have other interests involved. I think in the long term this bill might be one of the greatest boons to home schooling just for that reason.

The Vice-Chair: Thank you very much for your presentation.

Mr Newman: On a point of order, Chair: I have a presentation that my office received from St Nicholas Catholic School in my riding of Scarborough Centre. It's to the standing committee on administration of justice regarding Bill 160. It's some of their thoughts on class sizes, prep time, uncertified teachers and the role of the education minister. I've asked that it be handed out to the other members of the committee and that they give full consideration to the parents from St Nicholas.

ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION

The Vice-Chair: Would the Ontario Public School Teachers' Federation take your seats now, please. You have 30 minutes to use as you see fit. If there's time at the end, we'll use that for questions and answers. Please introduce yourself for Hansard and proceed.

Ms Phyllis Benedict: Thank you, Chairperson. My name is Phyllis Benedict. I'm the president of the Ontario Public School Teachers' Federation. With me this morning are the first vice-president, Stan Korolnek; director of collective bargaining, teacher welfare, Duncan Jewell; and research officer Christine Brown.

The Ontario Public School Teachers' Federation represents 32,000 teachers, occasional teachers and educational support personnel who work in the public elementary schools across this province. Bill 160, the misnamed Education Quality Improvement Act, raises some very

serious concerns about the democratic function of school boards and the right of employees to bargain their working conditions freely and fairly.

The proposed legislation basically eliminates the local control and management of education, which has been the cornerstone for schools in Ontario since the days of Eger-ton Ryerson. Bill 160 centralizes control and power in the Ministry of Education and Training, but decentralizes blame and responsibility. Further, the proposed legislation segregates teachers from any partnership in the provision of quality education for Ontario students. Unless Bill 160 is substantially amended, teachers can only view it as a total affront to their professionalism and the right to free collective bargaining and as an attack upon the quality of education in Ontario public schools.

What follows will be some of our specific comments on the provisions of the bill. With respect to education finance and governance, the federation has long advocated increased provincial funding for the cost of education. It does not, however, support the total removal of revenue-generating powers from local school boards. Local boards have local needs, and these needs are best identified and addressed by local residents.

As any trustee can attest, parental interest in the availability of such programs as junior kindergarten, gifted classes, language instruction and instrumental music is both high and ongoing. Parents have counted on having elected, accessible and accountable local trustees to assist them in their educational goals for their children. Trustees have responded to these concerns as existing resources and the ability to generate new resources have permitted. Centralizing taxation powers will not lead to increased democracy in the running of the school system.

Replacing of the taxing authority by boards by provincial determination of rates of taxation will likewise alter the dynamic of collective bargaining, since district school boards will be unable to bargain in any meaningful way. Centralizing control in this manner will enable the provincial government to extract unlimited dollars from the school system. The federation does not support this and believes that parents do not either. The federation recommends that a significant measure of ability to raise local tax revenues remain with local ratepayers.

In keeping with the general movement towards the centralization of power in the hands of the ministry, an entirely new permanent power has been granted to the minister in the form of the right to conduct an investigation of a board's financial affairs under certain circumstances. Other than as a vehicle to centralize power, the federation does not see the logic behind such new powers.

1040

In keeping with the other governance changes noted, ie, greater provincial control at the expense of local control, Bill 160 vests considerable power with respect to transitional matters in the Education Improvement Commission. Thus, unelected political appointees are to be making vitally important decisions with respect to the transfer of property, assets and liabilities and employees. Cabinet and the commission are to be given virtually unlimited powers

to determine how restructuring will take place. Not only is there no mandatory provision for public consultation by the commission, there is no mechanism for public accountability. These powers will effectively suspend the democratic authority and responsibility of elected officials. The federation believes that the broad nature of the powers granted to the EIC under this legislation is intrusive and unwarranted.

With respect to advisory school councils, OPSTF has long held the view that parental involvement in their children's schools is key to educational success. The government perhaps would like us to believe that school councils are one more way that the average parent-taxpayer can have a direct say in the carrying out of public policy and the disposition of the public purse. In the face of changes to the governance and the financing of school boards proposed elsewhere in Bill 160, there is considerable irony to such a stance. This is a bill not about greater public control over the school system, but about the virtual elimination of public control.

The federation believes that school councils are no substitute for democratically elected, properly compensated school board members with the real power to make crucial decisions affecting the lives of students.

I would now like to turn to a number of collective bargaining issues for teachers. The partnership of teacher federations and school boards has, since the passage of the School Boards and Teachers Collective Negotiations Act in 1975, resulted in collective agreements which address the needs of the school boards and teachers. All items, as identified by either party, can be the subject of negotiations. This open scope of bargaining saw the inclusion of provisions related to preparation time, class size, lunch-room supervision, the school day and the school year, pupil-teacher ratio, continuing education programs, extra-curricular activities and others, all of which led to improved learning conditions for students and enhanced working conditions for teachers.

Much of the proposed legislation contained within Bill 160 is included as an attack on the teachers of Ontario and does nothing to meet the government's stated goal of having the highest student achievement in Canada.

With respect to the legal framework under which teachers bargain, although the federation will have to make fundamental alterations to the manner in which it carries out this responsibility, the federation is not opposed to the transfer of collective bargaining from the School Boards and Teachers Collective Negotiations Act to the Labour Relations Act.

At present, teachers and school boards have wide latitude to bargain the conditions under which teachers work and students learn. The proposed legislation would severely restrict the scope of bargaining through regulations on such critical issues as class size, preparation time, length of the school day, the school year, school holidays, instructional days, examination days, professional activity days and work days prior to the commencement of the school year.

The former Minister of Education and Training, John Snobelen, stated that these issues were too important to be used as bargaining chips. The federation believes it's too important not to have these issues as bargaining chips in order to protect and enhance quality education.

Limiting the scope of bargaining for teachers is a regressive and punitive use of legislative power. Teachers' workload will increase and student achievement will decrease. It is the federation's position that there must be no restrictions on the scope of bargaining. The federation believes that all terms and conditions of employment ought to be negotiable and that any changes in those terms and conditions should be negotiated. Collective bargaining has led to many improvements in the educational experience of children. Collective bargaining has not only helped teachers, but it has led to many improvements in the educational experience of children.

The federation is pleased that the government has recognized that teachers as well as other employees in the broader public sector should retain the right to strike. Unfortunately, the proposed legislation has language which would appear to give cabinet the right to squelch any teachers' strike or potential strike by implementing a regulation which says, "...to prevent disruption in the education of the pupils." If this is not the intent of this section of the bill, an amendment should be introduced which would clarify this situation.

With respect to regulating powers on the length and use of the school year, the government has proposed extending cabinet's authority to make regulations. The federation believes that the minister's existing powers in this area are sufficient. Moreover, there is no convincing evidence to suggest that manipulating the school calendar will further assist the government in meeting its stated objectives for the education system. The federation does not consider these broad powers to make regulations either necessary or useful and believes that such issues are best left to the process of collective bargaining.

With respect to the issue of differentiated staffing, among the more dangerous parts of Bill 160 are those which give cabinet the authority to override the present legal requirement that individuals who teach for a living should be certificated teachers. Once again, regulations made without public consultation or notice could be made which would transform the way education is provided to Ontario's children.

The federation does not believe that the real aim of these provisions is to give Ontario students access to experts in various fields, such as music, art and sports. Indeed, students already have access both through the talents of their own trained teachers and through a wide variety of school activities, including field trips, outside speakers and the like.

The federation believes that the true aim of section 81 is to extract money from the education system and to diminish the power of the teaching profession. Through this section, the government has stated its belief that teacher training is irrelevant. Will we eventually reach the stage where anyone with a willingness to take a badly paid

job in a local school is entrusted with the important task of educating our young people? Will properly trained teachers eventually be rare sightings in the classroom? These are questions which any parent of students currently in the system should take very seriously indeed.

Teacher training means teachers who are subject to rigorous standards and expectations and aware that instruction in one subject area does not happen in isolation from the rest of the school program. They are trained in child psychology and development, able to recognize potential learning disabilities and to provide access to available remedial assistance, skilled in monitoring and evaluating a child's academic progress and versed in school law and classroom management techniques. Teaching is so much more than the command, however, of a given subject matter.

We also feel compelled to point out that, on the one hand, the present government passed the legislation establishing the Ontario College of Teachers with the stated aim of increasing professionalism and stricter standards for teachers, and yet it's this very government which proposes legislation which, if carried to extreme limits, could remove the need for teacher training all together.

Bill 160 also contains a provision which empowers cabinet to make regulations governing class size. Class size, indeed all aspects of staffing, has been the subject matter of collective bargaining since Bill 100 was passed in 1975. Teachers and boards who have directly negotiated this issue have developed considerable expertise in the subject. They have utilized their political skills in balancing off these matters and the related question of preparation time with establishing acceptable rates of local education taxes. The federation believes that this system has served Ontarians well and should not be tampered with.

As the bargaining record shows, teachers have fought hard to defend and improve both their student learning conditions and their own working conditions. Class size has been the core of OPSTF collective bargaining imperatives for many, many years. Smaller class sizes mean better learning conditions for students. Smaller classes mean that teachers have more time to spend with each individual student to ensure that no one slips through the cracks.

In recent years OPSTF members have reported dramatic increases in the sizes of their classes and the ministry's statistics have confirmed that this has occurred, but this has occurred not because teachers have willingly negotiated larger class sizes but because the funding has been drastically cut.

A further area in which Bill 160 infringes upon the existing scope of bargaining is that section which gives cabinet power to make regulations concerning pupil-teacher instructional time and preparation time. Preparation time, like class size, is a hard-won and much-valued component of teachers' working conditions. Preparation time is not a frill at either elementary or secondary levels, but is an essential component in a teacher's ability to do his or her job.

Any reduction in preparation time will seriously jeopardize the quality of education in Ontario. Cuts to preparation time will result in teachers having less time to offer a full range of activities and classroom methods and to respond to the individual needs of students. Less preparation time will mean fewer teachers in schools, which will affect everything from school safety to school morale.

The federation cannot support restricting free and full collective bargaining on working conditions and recommends that the proposed regulation-making powers in these areas be dropped.

1050

If you go through our brief, you will find a number of other areas where we talk about the definition of a teacher and the definition of teachers' bargaining units and you will read those at your leisure. I would like to take you now to the probationary and permanent contracts.

For teachers this forms the basis of the entire legal structure surrounding the treatment of teachers and their employment relations in school boards. The removal of the concept of contract teachers makes issues respecting the permanence of employment negotiable. The removal of these provisions signals a change that could lead to a major problem in the staffing of our schools and which could have a disastrous effect on the quality of education. With no notice period required to resign, a teacher could leave the classroom Friday evening and not return on Monday.

Further, the legislation removes the existing right to receive a board of reference. The provision in the Education Act provides a form of just cause for permanent contract teachers. The federation could endorse the elimination of the statutory forms of contract, provided that the rights currently guaranteed under such contracts were assured through other means.

Since 1986, this federation has held the bargaining unit rights for occasional teachers employed in the elementary panel of the public schools of Ontario. The proposed legislation amends the definition of occasional teacher to expand the period during which occasional teachers may be hired to substitute for an absent teacher. The federation has previously indicated support for an extended term for an occasional teacher who was replacing a teacher who is on pregnancy or parental leave, but the current proposals far exceed what is reasonable.

The federation has supported the inclusion of occasional teachers in statutory bargaining units for many years and supports this initiative and further recommends that such transfer of the bargaining rights occur with the first collective agreement after December 31, 1997.

The Education Relations Commission has served the needs of school boards and teachers well since its creation following the passage of the School Boards and Teachers Collective Negotiations Act in 1975. The federation does not support the intent of the legislation in this regard and recommends that the Education Relations Commission and its functions be transferred to the Ministry of Labour effective January 1, 1998.

In conclusion, Ontario's teachers are committed to quality education and student excellence. To the teachers of Ontario quality education means early education programs taught by qualified teachers for every child. It means sufficient textbooks and educational materials for every student without endless fund-raising drives. It means a full range of programs, such as art, music, drama, second languages, French immersion and computer instruction. It means clean, safe, well-maintained schools. It means time for teachers to work collaboratively to develop and enhance programs. It means adult education courses to ensure a fair chance for everyone to succeed. It means well-stocked and -equipped school libraries, staffed by qualified teacher librarians. It means a full range of support staff to meet the needs of every student, including educational assistants, secretaries, custodial and maintenance workers, speech and language pathologists, social workers, attendance counsellors and psychologists, and it means a positive working environment for teachers to ensure a positive learning environment for students.

It has been the experience of the citizens of Ontario to be governed by legislation which carries out the intent of the bill. The title of Bill 160, the Education Quality Improvement Act, is completely misleading. There is little in this bill which will assist this government in achieving its oft-stated goal of increasing student achievement and enhancing education in Ontario.

I respectfully request the committee to consider seriously the 13 recommendations that are found at the end of the OPSTF brief. On behalf of the 32,000 members of the Ontario Public School Teachers Federation, I thank the committee for this opportunity this morning to present.

The Vice-Chair: Thank you for your presentation. We have a little over two minutes per caucus, starting with the Liberals this time.

Mrs McLeod: Thank you very much and I appreciate your being here. I appreciate the thoroughness of your presentation. Minister Johnson is saying today that he has had no constructive recommendations from teachers. I think if he were here at the committee meetings or would even be prepared to look at the recommendations that are being brought forward this morning, he would see that there are some very constructive recommendations for changes to this legislation.

I particularly wanted to note one that came up in our discussions yesterday that you have emphasized, and that's that apparently the government is backing away from this notion that their legislation is intended to replace teachers in a classroom with so-called experts, that this is just to be a partnership. As you've so clearly said, if it's just to be a partnership, that exists already and it can exist, and you do not need these provisions in the act and the College of Teachers said they should be removed. That's a very easy amendment for the government to adopt right now and that would make some step towards improving the act.

But I think that this morning is not really the time to focus on the details. All I want to ask you is, tell us what

you're hearing from your members. Tell us why your members are at the point they are today.

Ms Benedict: Our members, all of the teaching members in Ontario of all the affiliates, are to a point of frustration, to a point of feeling that this government does not listen, that this government continually puts forward the rhetoric that they are willing to sit down and have meaningful discussions. They come up with phrases like "Everything is negotiable" until you sit down and you find out that's not true. Everything is negotiable in Bill 160, apparently, except for structural change, and for structural change they persevere on preparation time. They say it's only a secondary issue. Well, it's not a secondary issue.

If we open the door to tamper with preparation time and put it into the hands of the Minister of Education and the cabinet now, there is absolutely nothing in Bill 160 that prevents further intrusion in every aspect of the classroom. Teachers are frightened by that, and parents should be frightened by that. That's why we continue to meet, as frustrating as it is, with a government who says, "Yes, we're open to suggestions," and then turns around and accuses us of not coming up with proposals.

The Vice-Chair: We've got to move on to the third party.

Mr Bud Wildman (Algoma): Thank you for your presentation this morning. I know that there are a lot of things on your plate these days. Hopefully this presentation will be of some use in that whole process.

You talked about your concerns about centralization, about the regulatory power conferred on the minister and the cabinet and the control of education, every aspect of education. You've also talked about restrictions on the scope of collective bargaining between boards and teachers' federations. I'm hearing from teachers, grass-roots members of your organization and the other federations, even greater concerns about the future if the cabinet has complete control and it's not vested any longer in boards of education or separate school boards or in the negotiations process, about things like voucher systems and charter schools perhaps being on the horizon.

Is this just rhetoric and scaremongering, as some members of the Conservative Party have dubbed it, or is it in fact your view that not only is centralization designed to take money out immediately, but there are significant changes on the agenda for the future if this government is re-elected and has complete control of the education system?

Ms Benedict: Any of the indications we have received would lead us to believe about the privatization of education, but there is an even more alarming fact, the creation of a two-tier system within the publicly funded school system that we operate now. If you do not have the ability to raise some amounts of money at the local level to address the local needs of schools, and they talk about an equalization of the funding, what it will do will turn schools into haves and have-nots.

The responsibility goes back on to parents for fund-raising. If you happen to be in an affluent area, if that's where your school is located, obviously the children in

that school will have a definite advantage over a downtown core school where the children come from homes that do not have the same type of economic background. To me, that's even more frightening than voucher schools and privatization of education: a two-tier system within our system.

1100

Mr Wildman: Can I ask one other thing? The previous Minister of Education and even the Premier have basically said that the problem around this legislation and the teachers' view of it is just because of union bosses. That's the term they've used. Since you are, I guess, one of those union bosses, I'd like to give you the opportunity to respond to this. I thought when I saw the demonstration at Maple Leaf Gardens and then over here at Queen's Park, if these were all union bosses, it's a very top-heavy union.

Ms Benedict: It certainly is. In the two weeks that we held our all-affiliate meetings, we had over 100,000 teachers attend those meetings. That's an indication that this is a movement from grass roots. We've also been accused of not being democratic and of ordering from the top. I can speak on behalf of my affiliate. We're very democratic. Just as you're elected to represent your constituents, so are our local presidents who come in with a mandate from their members. Not once, but twice, this federation has taken the stance of standing up to this government to extreme action of a strike.

The Vice-Chair: Thank you. We have to move on. Sorry for interrupting.

Mr Newman: Thank you for appearing before the committee today. I have a question. You talk about democracy within the OPSTF. Did your members actually get a chance to vote by secret ballot as to whether or not they supported an illegal walkout?

Ms Benedict: No. Our affiliate did not do that. As I said, twice we have taken — once with a council of presidents and once with our general assembly in August, which is a wider representation of our membership. Our members will vote on an individual basis according to their own conscience on the day. If it becomes necessary that we have to take this drastic action, if there is no movement by the government, then each individual teacher has that right and that's as democratic as we can be.

Mr Newman: That was August, before Bill 160 came in, you had your vote. If you're saying it's a matter of conscience and people making their own decisions whether or not they participate in the illegal walkout, will any actions or reprisals be taken against those?

Ms Benedict: Absolutely not. All of our affiliates have sanctions which would happen if it was a legal strike situation under Bill 100, and obviously this is not in that case. Any sanction would come from one's colleagues in the school.

Mr Newman: Okay. A quick question: Jeffrey Simpson today in Globe and Mail has a very well written article, I think, that deals with the issue of a pending teachers' strike. I'll read the third-last and second-last paragraphs, and I'd like your comment on it. He says:

"For almost a decade, successive Ontario governments have been struggling to get that improved performance taxpayers deserve and students require. It has meant a series of bruising battles with the province's teachers' unions, which are not accustomed to losing and can bring mighty pressure to bear on public opinion.

"Full-page newspaper advertisements and organized demonstrations are part of the unions' arsenal. The government has an obligation to talk to the unions, but at the end of the day the government, and not the unions, is responsible for the system."

Do you agree with Mr Simpson's comments?

Ms Benedict: I agree that the government is responsible for the system, but let's have a system of education that's worth having and that's not what is contained in Bill 160.

Mr Newman: The other question: You talk about inequities between schools. I think the argument can be made today, and quite rightly so, that there are inequities within Ontario today because it's based on the assessment in a particular area. You obviously represent people from right across the province and you have students in some boards, as the Toronto Star editorial said last week — I think the word was "sumptuous" art supplies — who have those in their schools, yet in other schools kids have to bring pencils to school with them because the school doesn't have them.

I think Bill 160 will help to address some of the inequities in funding —

Mr Wildman: Then everybody will be bringing pencils.

Mr Newman: I wouldn't be so pessimistic, Mr Wildman. I think you had an opportunity to fix that and it hasn't been done. But because we have a system right now that's based on property tax assessment and also the fact that —

The Vice-Chair: Mr Newman, I'm sorry.

Mr Newman: Can I just finish my question, Chair?

The Vice-Chair: Real quick.

Mr Newman: I'd like to know what the opinion of your union is with respect to this government taking the education portion off of the residential taxpayer. I know in my riding in the election that was an issue, a lot of seniors saying, "We don't want to have education on the property tax base." I'd like to know what your comments are because no one's really addressed that today.

Ms Benedict: My comment would be, to pick up on what Mr Wildman said, that there will be equity, but it will be at the lowest common denominator.

The Vice-Chair: Thank you very much for your presentation today.

Mr Wildman: On a point of order, Chair: Could I put a question to the provincial Conservative caucus members on behalf of the government? I notice Mr Smith is not here, but he will return. Will the government give us the assurance that any saving from restructuring the education system will be reinvested in the classroom? Just make that commitment and we'll avoid the crisis that we're in right now. Can we get that from the government at this

committee? Can we get an assurance that the government is not going to take \$650 million out of the education system?

The Vice-Chair: I don't think we can give you that assurance from this committee, Mr Wildman. I don't think we're empowered to do that.

METRO PARENT NETWORK

The Vice-Chair: I ask for the Metro Parent Network. Kathleen Wynne, would you identify yourself and your guests.

Ms Kathleen Wynne: My name is Kathleen Wynne, and I'm here as the chair of the Metro Parent Network. Gord Garland, a parent from York, is also here. I'm glad the article by Mr Simpson was mentioned because I just want to follow up. I think Mr Simpson is very mistaken. Bill 160 doesn't give the government control of education; it gives the cabinet control of education. The alternative is not union control; it's democratic local control by citizens electing school trustees and negotiating a system with teachers. I think that whole article is skewed.

It's difficult to know where to begin in this climate of hostility and impasse. As I write this deputation, the government seems intent on pushing the teachers of this province to take job action to resist this latest assault on the education system. I have participated in many of the hearings that have been held over the past 10 months and have known that much of what has been said by parents and citizens has fallen on deaf ears. We know, for instance, that we are only here today by default, that this government would have chosen to hold these hearings without hearing from us at all and certainly without hearing from any of the 1,100 individuals and other groups that applied to speak.

This current situation makes it clear exactly how futile my efforts are and have been. But you are attempting to hurt our children, your own children and all our grandchildren, and we will keep coming back until you stop. Furthermore, in this past week, Jane Jacobs encouraged us that it is important that we listen to each other in our struggle to maintain a humane and democratic system. It's in that spirit that the Metro Parent Network has chosen to participate.

We are a loose connection of parents from the public and separate boards of education from the six municipalities in Metro. In fact you have heard from a number of our members in their capacity as representatives of their own parent associations. You've heard from the North York Parent Assembly, Shelley Carroll; you've heard from Laura Dark, speaking for the East York Home and School Council; you've heard from Debbie Gilbert, speaking for the Etobicoke Home and School Council. I am a Toronto parent, member of the parent involvement committee of the Toronto board and the vice-president of the parent association at Lawrence Park Collegiate in North Toronto.

The Metro Parent Network came together at the beginning of 1997 as we realized that the mega-board was about to be imposed on us. We have relied on each other

for support and information as we worked to inform our own communities and enable individuals to take the actions they deemed most appropriate. The Metro Parent Network, along with groups like People for Education and the Ontario Education Alliance, are some of the unintended consequences of this government's actions.

When I first gathered the group together, I expected that there would be significant differences among us. We had been told, over the years, that parents really couldn't agree on issues around education and that we would not be able to speak with one voice. What we've discovered — and what I've discovered over the last year since the hearings on Bill 104 — is that the involved parents in all of our communities, the people who really know what's going on in the front line at schools, can agree and do agree. What I'm going to try to do today is attempt to capture some of that agreement for you.

Mr Harris is currently bragging about his revolution in Ontario, I believe in an attempt to build the myth that his destructive innovations have been successful, and that in preparation for the next provincial election. Bills 104 and 160 are the government's attempt to destabilize the education system, but we have to recognize that they are part of a much broader assault on the institutions and democratic system that has prevailed in Ontario throughout our short history. That assault has attacked our health care system, our social safety net, our municipal governance and our taxation system.

We suspect that this revolution, which is designed to limit freedom rather than to liberate, is really about destroying a highly functional public system in order to allow enough chaos that people will be grateful to corporations as they move in to create private schools and hospitals in their own image.

1110

The job action that teachers are being forced to take right now is in direct resistance to this agenda. It is not, as the government would have us and other citizens believe, about the specific numbers of hours of preparation time or about a specific class size. It is about the right of people who are affected — the teachers and the elected representatives of citizens, ie, the trustees — to have a say, through the collective bargaining process, in the education of all our children.

You heard parent after parent yesterday, and I presume today you will as well, challenging Bill 160's centralization of decision-making in the cabinet. Yesterday, Mr Froese from the government side asked Annie Kidder of People for Education why she and her group did not bring positive recommendations. Apparently, the government cannot extrapolate from the statements that have been made by parents over and over, so I thought I might articulate that positive statement for you.

In February 1997, a group of us at the Toronto Board of Education released a document called *The Essential School: A Model for Public Education in Ontario*. It's been available to the government since that time. It has been presented to the government by numbers of educators and parents as part of deputations to Bill 104. It was

adopted by the Toronto board and reworked by the chair, David Moll, into his bill of rights for students. It was circulated province-wide during the debate on Bill 104 and has been adopted by councils inside and outside of Metro. It is one manifestation of the positive vision of parents who spend time in schools and understand what teachers are doing in classrooms.

We are, on the whole, an extremely positive group of people. Before the assaults by this government, the parents whom you have come to see as the enemy were the parents who were working in their communities to improve the system. We were working with teachers, helping out in classrooms, attending our children's sports events and dramatic performances, serving on board committees, pushing trustees and bureaucrats on a specific issues, and going on field trips. These are all positive, constructive activities, and a lot of those have been truncated over the last number of months.

Here's what we want, and I'll go through the list quickly, although I have a more extensive and fleshed-out version of this document if you should be interested in seeing it. Here's the list:

We want a strong and relevant instructional program for all students delivered by qualified teachers. That means junior kindergarten with a qualified teacher in each class, not one for four classes. We want a solid common curriculum. We want high-quality secondary school programs. We want regular class sizes of no more than 20 students in primary, 25 in junior and intermediate, and 30 in senior. We want teacher-librarians; physical education programs; visual arts and performing arts programs; computer technology, special-education programs and services; English as a second language; a variety of French-language program options; international and native languages; an inclusive curriculum; whole school guidance; psychological and social support services; child care and nutrition programs; opportunities for student leadership.

Second, we want a healthy and safe school environment. This means safe school buildings and facilities; positive school environment; indoor and outdoor recreational space.

Finally, we want community involvement. This means parent involvement; adult education programs; and community use of schools.

We want the money and resources in the system to provide these things. We want to see a funding model, before any further legislation goes through, that recognizes the importance of these components.

On the one hand, this is a lot to ask for. On the other hand, it is descriptive of much of what we have had to date, and it is what we must strive for in every school in the province. One of the problems we have had in dealing with this government is that we haven't seen your vision of education.

The Essential School document needs revision. There were things we missed; for example, outdoor education and environmental education. The most significant addition must be that we want all this in the context of a system that is democratic at the local level. We want to work

with democratically elected school trustees. We want to work with teachers who have a say in their working conditions, which are our children's learning conditions. We want a Ministry of Education that is supportive of local initiative while providing leadership and guidance in the areas of curriculum, professional development and equity. We want public schools and separate schools to be equitably and adequately funded.

And we want you to listen to us.

There are those among us who believe that because your government backed down on Bill 136, you must hold tough on Bill 160, and that you believe you can do so with impunity because education is mostly about women and children. That is an extremely cynical view and we pray that it is not the case.

We need you to withdraw this bill. We certainly need you to withdraw the sections that the unions are asking you to at this point so the talks can continue. We want you to hold on to the concept of equity between public and separate schools, and take the time to bring in new legislation that will truly maintain the best of what we have and change what needs changing.

Gord Garland is going to speak briefly.

Mr Gord Garland: To begin, I'd like to leave with you a submission made by the Metro Parent Network to the Minister of Education in response to his 15-page document, *Excellence in Education: Student-Focused Funding for Ontario* — incidentally, a document that contains nothing about the funding level for education in Ontario. Our submission is longer than his document and speaks to every point he raises.

To begin with, my name is Gord Garland. I'm a businessman, I'm a taxpayer and I'm also a parent. I have three children in the public school system. Linnea attends Wychwood Tiger Daycare Centre and Hillcrest Community School. Allison attends Winona Drive Senior Public School, and my oldest daughter, Heather, is at Oakwood Collegiate. I am speaking to you today as a businessman, as a taxpayer, as a parent, but also as a citizen speaking out in a democracy.

What I would like to do is cover five areas very briefly. I would like to begin with an introduction, setting the context. I would like to speak briefly about non-profit child care, 40% of which is supplied through Ontario's school system. I would like to talk about what this government is doing to hospitals and health care, and then I'd like to move right into education. Finally, I would like to speak directly to the backbenchers on this committee.

Before Ontario's Conservative government came to power, there were battles, but the best interests of children were never hung completely out to dry.

What binds the Conservative cabinet together is the ideological belief that services in the public and non-profit sectors are by definition wasteful. Consequently, a 15% to 30% income tax cut, which will benefit the well-off, will answer all questions by leading to a necessary reduction in services. The impacts, effects and consequences are irrelevant. At ground level, this is a scorched-earth policy of wants and needs and deprivation, the creation of an under-

class out of a dismantled middle class. Let us look briefly at some accomplishments.

In July 1995, the provincial policy to build new child care spaces into provincially funded schools and to fund junior kindergarten was cancelled. Between October 1995 and March 1996, 35 child care centres were closed and 27 new school-based centres failed to open. Since June 1995, cuts in payments to municipalities have led to the loss of more than 9,000 child care spaces, the shutting down of 30 programs, and the cancellation of 14 new programs and expansions.

As a businessman with a child in our non-profit day care system, I got together with a couple of other businessmen and we produced a video called *Wychwood Tigers*. It's a video about how non-profit day care operates, about the risks this government has put non-profit day care under, and about the effects and consequences. I'd like to leave this committee with one copy, urge you to sit down in one room together and watch it. I'll leave that with you.

Mr Wildman: Bill 160 prevents those kinds of things.

Mr Garland: I'd like to move briefly on to the issue of hospital closures and health care. Why? Because the Health Services Restructuring Commission is very analogous to the Education Improvement Commission in terms of having a concentration of power, so it informs the debate on education to look at health to find out what the government is doing in that field.

1120

Ontario is currently undertaking the largest shutdown of public hospitals in North American history. When it is over, Ontario will rank lowest in hospital beds per 1,000 people in Canada. In Metro Toronto, the Health Services Restructuring Commission has ordered the closing of 15 public hospitals, translating into the loss of 2,772 beds providing acute care, chronic care, rehabilitation and mental health addiction services. Those massive changes to our hospitals come at a time when the frail elderly population in Ontario is going to be growing by 42% within Metro Toronto. It is a massive abdication of public responsibility to the grandparents of the children in the day cares.

In terms of education, Bill 104 dealt with the issue of education governance and the concentration of power in the hands of the so-called Education Improvement Commission. Bill 160 takes up where Bill 104 left off. All power is now concentrated in cabinet. The province intends to do to education what it has done to health care and public hospitals. It wants to take \$1 billion out of education, fire teachers, close schools and take total and absolute control.

Education spending in Ontario is not out of control. Ontario ranks 42nd in North America in terms of education spending. In Canada, we're right in the middle: Five provinces and territories spend more, six spend less. Under Bill 160, everything can be changed by regulation. That means it's not open to public scrutiny. That's totally unacceptable in a democracy.

One of the messes this government has been creating is the issue of standardized testing as a benchmark for quality of education. Let me tell you how it's done. It's pretty simple. You teach to the test, teach the student the materials they will be tested on, and they will improve dramatically. The second thing you do is that you select better students to be tested, and your test scores will go up. This is done in many of the jurisdictions you seem to be citing with standard, uniform tests, but you don't look at the testing procedure.

The key question for education is, where's the money? That has been the question that this government has been most reluctant to answer. Similarly, in terms of health care the issue of where the money is has not been answered.

I'd like to speak very briefly to the backbenchers. You people are members of provincial Parliament now. You will not be members of provincial Parliament for all your life. At some stage, you will have to look in a mirror as a citizen, you will have to walk down the street as a citizen, and you will have to ask your question, "What did I really contribute?" If in the end, all you can do is look in that mirror and say, "The shame, the horror," and admit you did nothing, then you are less than human beings.

Borrowing from my grade 13 teacher, I went to an anthology of verse to try to find a few words that would perhaps sum up the reluctance of members of this government to speak out in the public interest. I'd like to quote a few lines:

We are the hollow men
We are the stuffed men
Leaning together
Headpiece filled with straw.

You have the opportunity to change that. You have the opportunity to say to your government: "We've listened to the people. Bill 160 is unacceptable from a public interest point of view. Withdraw it." I thank you very much.

Applause.

The Vice-Chair: Please. You realize that demonstrations are not permitted. We won't tolerate that. Thank you.

We have approximately two and a half minutes per side. We'll start with Mr Wildman.

Mr Wildman: Thank you very much for your presentation. It was most eloquent. Kathleen, you mentioned in passing, on some of the issues about differentiation of staffing, so-called, that it wasn't acceptable to have in kindergarten or junior kindergarten one qualified, certified teacher and a bunch of other individuals, whether they be early childhood educators or whoever. I suppose you would say that could apply to any of the other areas, like music or physical education programs or art or computer technology, whatever.

Ms Wynne: Yes. I was just using that as an example.

Mr Wildman: We've heard from the Conservative members arguments about team teaching, that experts could be brought in to work with teachers. Right now we've heard from teachers that experts are brought into classrooms by teachers and they work with the teacher to provide their expertise to the students. What I'm hearing

from you is that perhaps the team teaching concept may be changing so that the teacher isn't actually in the classroom. Somehow the teacher is responsible for supervising these so-called experts while they are in the classroom alone, leading the class. Is that what you're afraid of?

Ms Wynne: Yes. The way Bill 160 is written, it would be possible to have a so-called expert, who wasn't trained as a teacher, in the classroom. It may be that one of the suggestions could be, "We've got a trained teacher down the hall who is supervising that person." What team teaching means currently is that two qualified teachers work together on curriculum, on initiatives, on programs. It wouldn't be acceptable to us for teachers to have the supervisory capacity as well as the teaching role.

Mr Tom Froese (St Catharines-Brock): Thank you for making your presentation. Education is important to all of us. You've said that your own children are in the public school system. I have four children in the system as well. One's in college, two are in high school, and one's in elementary school. To say we haven't listened to parents — I agree that there are parents who disagree with some of what has happened.

Ms Wynne: There are a lot.

Mr Froese: They didn't vote for us. But the argument has been made in your presentation, not specifically, but generally speaking, that we haven't been up front with the changes we would make to education. We have. We did that in the Common Sense Revolution; we did that before the election. Previous governments have also said they were going to change education.

You have the democratic right to come here and voice your opinion, but there are a lot of parents, a lot — if I go into my riding and look at those who have voiced their concerns, it's most recently seven to one in support of what the government is doing.

Ms Wynne: But where are they, Mr Froese? Why aren't they here speaking? Why weren't they at those hearings on Bill 104?

Mr Froese: Would you let me finish, please. I let you finish your presentation.

Ms Wynne: I was just answering your questions. Sorry.

Mr Froese: Some of this is just a difference of opinion.

I want to draw your attention to an article in the St Catharines Standard. It's an editorial that talks about the different roles all of us play in education. I'd like to get your opinion. I'll paraphrase it because it's too long to go into.

They want to clarify the role of what was happening in education. They suggest a model that features the customers, the management and service providers. They're saying that the parents are the customers within the system. The outcomes of the education system should be measured and evaluated by parents, and parents only. Next they turn to the government, the administrative branch of the education system. They represent the managers in the model, and their responsibility is for a long-term strategy, design enhancement of the education system, and changes,

keeping in mind that they change it according to the needs of the customers, the parents. The parents are the customers, and if they're not satisfied with the outcomes, the judgement will come. Governments are aware of parents' concern, and that's part and parcel of why we're changing education.

1130

The teachers, in the model, are the service providers. It talks about the role as crucial, and I totally agree with that. They're the front-line delivery people who do that from day to day. However, it says it's dangerous to evaluate teachers beyond the important role they serve. Class size, curriculum and other standards of education have no place in a collective bargaining agreement or organized labour. The government has asked the teachers for alternatives to meet the targets of class size and teaching time and to reaffirm their resolve in meeting those targets. The article says the issues must stay in the hands of those responsible for designing the system, not those delivering it. I'd like your comment on it.

Mr Garland: That was excellent paraphrasing.

Ms Wynne: I categorically reject the analogy between the school system and a business. My children's souls and my children's lives are not a product, the way a shoe is a product, so I don't think you can make the comparison. I think it's flawed, so we can't even have that conversation.

Mrs McLeod: I'm not sure if it was the same poem, *The Hollow Men*, that ends, "That's the way the world ends, not with a bang but a whimper." Thanks to continued efforts by parent networks, which are in themselves new — the formation of parent networks is a function of response to Bill 104, where parents felt compelled to find ways of speaking out with a loud enough and a large enough voice that government might understand that this is truly as broadly based a voice of parents as you can possibly muster. It's a lot more than a whimper, and I'm glad you're still here.

I don't know how broad the network has to be. I don't know how many parent representative groups have to present to this government to make the government realize that these are real parent concerns. I sat through every hearing on Bill 104, as Mr Froese did. There was not one representative parent council presentation in support of that bill, yet that bill went ahead virtually unchanged in terms of the issues parents were concerned about.

Ms Wynne: That's right. The seven-to-one number is very questionable. I don't know where that would come from.

Mrs McLeod: If you were to ask people whether they agree that there could be changes in public education, whether we should have more centralized curriculum, whether we should have standards, whether we want excellence, I'd be surprised if you found one who wasn't supportive of that general direction.

The statement that struck me in your presentation was "the parents whom you have come to see as the enemy." What an incredible way for parents who come together to try to express their concerns for education to feel, that they have come to be the government's enemy on issues of

the education of their children. I guess that's exactly the way teachers are feeling too, that government has now put them into the camp of the enemy.

Maybe it is a rhetorical question, but how does the government think they can actually improve the education of children by making parents and teachers enemies?

Ms Wynne: The only way I can answer that is that it goes back to this desire to compare the education system with business, the competitiveness and the adversarial nature that some people think is productive, so maybe by making us the enemy and having a fight, somehow we'll end up with something good. I think it's wrongheaded.

As a final word, I would ask that the folks here go and talk to your people and try to make a difference on Bill 160, so we can not have the kind of bang that we may have over the next number of weeks.

Mrs McLeod: Even businesses think employees are an asset, if you want productivity.

Ms Wynne: That's right.

The Vice-Chair: Thank you very much for your presentation today.

NANCY WAGNER

The Vice-Chair: I call the next presenter, Nancy Wagner.

Mrs Nancy Wagner: Hello. My name is Nancy Wagner. Thank you for the opportunity to be here today. I am a director of the Organization for Quality Education. My husband and I own a retail business in Waterloo. I am a member of the K-W Chamber of Commerce and sit on its education committee. I'm a registered nurse. I am a taxpayer in Ontario. Most importantly, I'm a parent of three children, and this is why I've asked to appear before you today.

The teachers' unions have done a masterful job of putting their side of the argument against Bill 160 in front of the public. I have received "the facts" about the bill hand-delivered to my home. Union reps have spoken at school council meetings with no one encouraged to present the government side. Although the official union position is that the classroom is not to be politicized, students are allowed to walk out of classrooms all over the province with few repercussions. When I found out this was to happen at my child's school, I asked what steps administration was taking. I was told that the students would be allowed a little time for their demonstration and then staff would thank them for their support and ask them to come back to class.

Recently, an Ontario English Catholic Teachers' Association bulletin printed a speech by Annie Kidder. This speech, given at the rally at Maple Leaf Gardens, was distributed to teachers, who were asked to share its contents with school councils. In her text, Ms Kidder states that Bill 160 allows the government "to decide, if they want, that no one has to be a certified teacher in order to teach in our schools." These are very inflammatory words, which are allowed wide distribution without challenge.

Barry Lillie, a teacher and an OSSTF staff president, wrote a letter to our newspaper a few days ago. What follows is excerpted from his letter:

"I volunteered to be our school's OSSTF staff president. I did so because I was disturbed that our federation had joined the Canadian Labour Congress (CLC) without directly consulting members. Most teachers were shocked at the disrespect this decision showed towards school units. Now teachers have the spectacle of Bob White (CLC president) and Sid Ryan (CUPE president) speaking on their behalf."

He goes on: "For the past 14 months, our staffs have been prepared for this moment by a relentless stream of material intended to indoctrinate or overwhelm teachers for the inevitable struggle against Mike Harris. Our executives' writings have likened the elected majority Harris government to the Nazis of the 1930s.... Most alarming was the way the May 1997 strike mandate was obtained. Our executive told our staff prior to the vote that this would be a legal job action, that it was a legal protest. No one is saying that now. The legal claim was done to obtain support from reluctant staffs.... Truth was set aside for the cause."

Mr Lillie goes on to say: "Our federation feared the loss of the right to strike, yet supports an illegal job action. Who needs the legal right to strike if you believe you can ignore contracts whenever you choose?"

"At this moment in every school, war rooms are being formed. They are trying to identify those teachers who, driven by conscience, would cross the picket line, or what teachers are too soft to effectively man the lines. I am in this group."

At the end, Mr Lillie states, "It is time for the following to take a public stand for a new, fair negotiating process: my colleagues who have wanted to avoid confronting the movement to illegally strike; the parents' councils who are sitting on the fence trying not to offend the teachers; and the media, who have been a part of the spectacle."

I believe the above examples illustrate that students are mere pawns in the war between the government and unions for control of education's purse-strings. This battle has been going on for years and it did not begin with this government.

On April 23, 1992, Dalton McGuinty, Liberal MPP, introduced a private member's bill, Bill 14. This was An Act to amend the School Boards and Teachers Collective Negotiations Act. It was debated at second reading on May 7, 1992. Although Mr McGuinty obviously recognized the need to limit teachers' right to strike, his bill did not pass.

The previous government's education minister, the Honourable David Cooke, established the Royal Commission on Learning. Its report was titled *For the Love of Learning*. On page 11 of the short version it states:

"In the schools we envision, by no means would all educators be formally certified teachers and therefore members of one of the teachers' unions or federations. The fancy name for this is differentiated staffing, and we know full well that it is an idea that has met resistance at the

union level in the past. We understand and are wholly sympathetic with the mandate of the unions to protect the legitimate job security and benefits of its members. But there is a principle even more overriding than this one: The interests of good teaching and good learning must always come first. We can only hope that the unions cooperate for the sake of the students."

Gerry Caplan, now a spokesperson for the unions, was one of the co-chairs of the Royal Commission on Learning.

Partisan politics should be set aside and the leaders of all three parties should be working for a better educational environment for our children.

I applaud the government's decision to reduce the number of school boards and trustees. For too long parents have had the illusion of accountability. It is the rare group of trustees who are able to fend off the manipulations of board staff. Unfortunately, our elected representatives are mere rubber stamps to decisions made before trustees are even able to debate their merits.

1140

I cite the following example: At the Waterloo County Board of Education, trustees were surprised to find that a school had been built, designated as a multi-age grouping school, without their knowledge. Outraged trustees were assured that this mistake would not be repeated nor would trustees be bypassed again. Two years later the scene repeated itself, only this time two multi-age grouping schools were under way. If this is local accountability, I am happy to centralize power at Queen's Park.

Real accountability at the school level will happen when we have school councils that are not merely advisory in nature. School councils should have the authority to do school testing and report to parents. They must be able to make important decisions such as how to spend the school's budget and what the particular identity and characteristics of the school should be. Are school councils, as presently constituted, ready to take on these responsibilities? Probably not.

Just as astronomy classes tend to draw more serious students than astrology classes, so too do advisory committees appeal to quite different individuals than decision-making committees. Councils with no decision-making powers are run by the principal, who is in *de facto* command.

What is at the heart of this dispute between the government and the unions? It appears to be more about teachers' collective bargaining rights than children's' education. The unions see themselves as the guardians of education. If they are also the guardians of students, then beside the button that says "Cuts Hurt Kids" will be another button that reads "Strikes Hurt Kids."

Finally, I want to find out who is running the education system in the province of Ontario. If it is the government, then I have made my presentation in the right place, here at Queen's Park. If it is the unions, then I should be down at federation headquarters, because I am wasting my time here.

The Vice-Chair: Thank you very much for that presentation. We have less than a minute per side. We'll start with the government; try to keep it down to the minute, please.

Mr Newman: I'll be very quick. Thank you very much for coming and making that presentation today.

An article appeared in the *Globe and Mail* today by Jeffrey Simpson. I don't know if you've read it. I'd like your comment on it. In the second- and third-last paragraphs he says:

"For almost a decade, successive Ontario governments have been struggling to get that improved performance taxpayers deserve and students require. It has meant a series of bruising battles with the province's teachers unions, which are not accustomed to losing and can bring mighty pressure to bear on public opinion.

"Full-page newspaper advertisements and organized demonstrations are part of the unions' arsenal. The government has an obligation to talk to the unions, but at the end of the day the government, not the unions, is responsible for the system."

I'd like your comments on what he said today.

Mrs Wagner: I agree with that. That is why I'm here today. It's not in the capacity of any of the other roles I take. I don't want my children as pawns any more. I'm asking the government to get on with the changes. I didn't really speak about quality of education today, because these battles between the government and the unions are getting in the way of quality education.

Mrs McLeod: I just want to note for the record that the statement that was made by Ms Kidder that Bill 160 allows the government to decide, if it wants, that no one has to be a certified teacher in order to teach in our schools is an accurate, legal reading of Bill 160.

Mrs Wagner: And you believe that is what the government would do and that's not an inflammatory statement?

Mrs McLeod: If I may, I'm correct. I am making it very clear that Ms Kidder's statement was absolutely accurate in terms of the powers that are given, not even to the elected majority in the Legislature but to the cabinet of Ontario, to make those kinds of decisions, to make a decision as explicit — it's in the bill. It says that no one needs to be presumed to have to be a teacher just because they are teaching a class. From that point on, it says the cabinet can decide who indeed needs to be a teacher in order to head a class. The College of Teachers, an independent body established by this government to ensure that teachers met a standard of certification and a standard of professional behaviour, came yesterday and said those clauses have to come out.

Ms Lankin: Thank you for your presentation. Obviously, you come at this issue from a different perspective than the presenters who were just here, but you're both representative of parents' voices. The one thing I hear clearly from all parents who have come forward is a call for accountability, clear lines of accountability, and the role for parents as well.

One of the criticisms we have heard of this bill is that, just as Mrs McLeod said, too much is left in terms of regulatory powers. Would you support spelling out the roles of the council more clearly in legislation or setting the maximum class size in legislation or setting what groups of people would be considered, other than teachers, in what areas? Would you support a move that brings more of that into legislation and leaves less control behind closed doors, where parents, legislators, unions and anyone else can't have comment on it?

Mrs Wagner: I'm not an expert in legislative language, but I do know that in the system we have right now people seem to be worried about the secrecy behind closed doors at Queen's Park. We have that in every school board right now. Every issue that comes up that the school board doesn't want the public to know about becomes an in camera meeting.

Ms Lankin: Would you support those kinds of amendments?

The Vice-Chair: Thank you very much for your presentation. We wish it was a little bit longer, but time doesn't permit.

ROBERT SERVICE
SENIOR PUBLIC SCHOOL
PARENTS ADVISORY COUNCIL

The Vice-Chair: I call the next presenters, the Robert Service Senior Public School Parents Advisory Council.

Ms Deborah Anne Rinneard-Knapp: Good morning. My name is Deborah Anne Rinneard-Knapp. I'm with the Robert Service Senior Public School Parents Advisory Council. I am the chairperson. On October 17, 1997, we had an emergency meeting. This emergency meeting was about Bill 160. As parents who are very concerned, we got together and composed this letter. It states:

"Bill 160 is very long and covers many areas, but it has no specific details. As members of the Robert Service Senior Public School council, we have the following questions concerning Bill 160 and require a definitive response which sets out the details and parameters so that we know how the bill will affect the education of our children.

"(1) Is it constitutional for a non-elected group, the EIC, to make such far-reaching decisions which will have dramatic impact on how education will be delivered in Ontario that are 'final and shall not be reviewed or questioned by a court'?

"(2) The government has said that Bill 160 will improve the quality of education. Where would the accountability be to the Legislature, the public and the students if the minister or the EIC makes mistakes with some of the details put into the regulations?"

I'd like to add to this that I've made this two-way. The Oxford English Dictionary says that accountability means being liable, responsible and called to account for your actions. I'm questioning the accountability in Bill 160. Where is the accountability going to come from? Just

voting the governing party out of office is not good enough. We need accountability here. Police officers are accountable to the special investigations unit, doctors are accountable to the College of Physicians and Surgeons, lawyers are account to the Law Society of Upper Canada and teachers are now accountable to the College of Teachers. Where will the EIC and the minister be accountable to? That's a very valid question.

"(3) How will a board's funding be determined? What criteria, guidelines or special needs will be used or taken into account? Will there be special consideration for English as a second language, for busing, for immigrant students, for a large population of low-income families?"

I come from the Scarborough Junction, and just in that area alone we have a lot of immigrants and a lot of low-income families. We need these issues addressed specifically, especially for our area, because we have a lot of special needs.

"What is considered 'in a fair and non-discriminatory manner'? Does that mean an equal amount of funding per student no matter what special situations are present?"

"(4) What is appropriate class size? Will this be the same for all grades? How will class size be determined?"

"(5) With regard to school advisory councils, how can you legislate a body which is, by definition, made up of volunteers? Will the government be providing training for members of the school advisory councils since they will have increased powers?"

Another reason to ask this question is that our school is only a two-year school, so the parents only have two years on the council. We need training for the parent advisory council so they know what they're doing when they're coming in.

"Legislation should be specific, detailed and limited in scope and power. We need the details before a law is enacted."

My husband and I were discussing this last night, just as a couple. We were looking at this and saying it's like building a house. You've got the structure there and you've got the outside wall there, but the regulations you're planning on putting in is like stuffing a wall, and you're going to stuff it after the law is implemented. I believe we need to know the regulations before the law is implemented and before the law is enacted.

"Real change can only happen when it is well understood, properly paced and supported by appropriate funding and training. These are only a few of our many concerns. We would appreciate a direct response to our questions.

"The Robert Service Senior Public School council."

1150

I would also like to add a personal point. I have three children, Tanya, Tasha and Brandon. Tanya and Tasha go to Walter Perry, Brandon goes to Robert Service. They're all in the Junction area. They're all special-needs children with special education needs, and they're getting that support right now. I'm very concerned. If they don't get that support, what are they going to do? Are they going to

be discouraged? Are they going to drop out? I try to encourage them as much as I possibly can.

The teachers in this area are doing a terrific job, a very good job. I admire the principals. They work very hard at what they do. I even believe sometimes that they're underpaid for all the pressures they are put under. I am not a spokesman for the school principal. I am speaking as a parent, and I am speaking from the point of view of our parent advisory council. I'm not a puppet in anybody's hand. I also want to know, personally and as a parent. I just don't want, if you make a mistake, to vote you out; I want to be able to know that there is some type of accountability for any mistake that is made.

The Vice-Chair: Thank you very much for your presentation. We're getting close to the time. We have about 30 seconds per party, starting with the Liberals.

Mr Mario Sergio (Yorkview): You are speaking as a parent. How well aware of the contents of this bill are the parents out there?

Ms Rinneard-Knapp: The parent advisory councils in the area are getting pretty active. They're beginning to understand the implications of the bill. They have been reading up on it. As a matter of fact, even myself — Dan was good enough to give me a copy of Bill 160. I received it last night and I read 170 pages, to be precise. I did find it quite vague, with a lot of legalese, but I am beginning to understand.

As for the other parents in the neighbourhood, yes, a lot of parents are upset because the government isn't listening. They are glad there are these public hearings happening right now so we can come forward and speak our minds.

Mr Sergio: If you had a message for the government, what would it be?

Ms Rinneard-Knapp: Accountability, definitely. We need a type of structure for accountability.

Ms Lankin: Picking up on that, the previous presenter didn't want to answer my question at the end and sort of sidestepped it. Let me ask you: Would you prefer to be debating legislation and having in legislation what the class size will be? Would you prefer to be debating what the government's plans are in terms of using non-certified instruction, in what areas they plan to use that and in determining whether those things actually contribute to quality? Do you think this bill provides accountability, the way it's structured?

Ms Rinneard-Knapp: At this time, the bill is vague, not specific. It doesn't state numbers. It doesn't get to specifics, it doesn't tell detail, and that seems to be a very bad problem there.

Mr Newman: Thank you, Deborah, for coming to Queen's Park today to express the views of the Robert Service school advisory council.

I just want to give you my assurance as your local member that I will do whatever I can to get those questions you have answered, get those answers from the Ministry of Education for you.

Ms Rinneard-Knapp: I appreciate that.

Mr Newman: I had a chance to visit Robert Service during the Take Your MPP to School Day. Deborah was there, and we had a good discussion. I think we're meeting again.

Ms Rinneard-Knapp: As a matter of fact, this Friday. We have other issues to discuss.

Mr Newman: Yes. I checked my schedule today, and we're meeting on Friday.

The Vice-Chair: Thank you for the presentation.

Ms Lankin: Mr Chair, on a point of order: I appreciate that Mr Newman just committed to follow up and get that information for Deborah. I think it would be information the committee would appreciate having as well. For example, what is appropriate class size? We have been wanting to have that information in front of us, and we should have that before the bill is passed. I appreciate that you have undertaken to get that information, and perhaps you'll share it with the rest of us.

ONTARIO EDUCATION ALLIANCE, YORK REGION

The Vice-Chair: I call the next group, the Ontario Education Alliance, York Region. Please introduce yourselves.

Mrs Cyndie Jacobs: My name is Cyndie Jacobs, of the Ontario Education Alliance of York Region.

Ms Jean Davies: My name is Jean Davies, from York region as well.

Mr Steve Bull: My name is Steve Bull.

Mrs Jacobs: As parents and teachers from the Ontario Education Alliance, we believe that all of our students, their parents and their teachers will be adversely affected by the provisions of Bill 160. It is therefore incumbent upon us to speak against this legislation.

The government has insisted that its primary goal is to improve the education our students receive. This is a noble goal, and as teachers, we have always had the best interests of our students in mind. However, we do not believe that most of the provisions of Bill 160 will improve the education system for our students. As teachers, parents, taxpayers and socially conscious citizens, we believe that certain principles must be maintained in any educational initiative.

First, there must be no adverse impact upon students and educational programs. Second, every student in an Ontario classroom must be taught by a qualified teacher. Third, teachers have a right to have all terms and conditions of employment negotiated through direct and free collective bargaining. Finally, local school boards must maintain their constitutional right to levy taxes to meet the needs of their local circumstances. Bill 160 is both unacceptable and undemocratic since it violates all these principles.

The first thing that must be understood is that teachers are not resistant to change. Educators take it upon themselves to implement changes they believe will benefit students. The Royal Commission on Learning stated it best when it remarked that it witnessed countless positive

changes implemented by schools, administrators and teachers across the province.

Despite government rhetoric to the contrary, change takes place continually in education. What educators find distressing is the fact that governments make changes far too often and tend to do this for political rather than pedagogical reasons. With each change in government comes a change in initiatives. Teachers are never provided the opportunity to implement changes fully before they are told that what were new initiatives only two to three years ago are now being replaced. With respect to curriculum changes, for example, one educational expert at the Ontario Institute for Studies in Education has stated that curriculum usually takes five years to be fully implemented. You can imagine the chaos created in classrooms when governments force boards to change curriculum every three to five years. Change for the sake of change is not progress. Democratically elected governments have an obligation to understand the consequences of their actions.

1200

As the royal commission concluded with respect to implementing change, changes that serve to bewilder families, demoralize teachers, confuse students and alienate the community seem a rather excessive price to pay in the hot pursuit of education reform. Whether better schools are really the key to Ontario's competitiveness in a harsh new world seems to us debatable at best. But surely a destabilized education system can be guaranteed not to help. Our current government has not learned the lessons of recent history nor considered the implications of its current reform agenda. The government's reform policies and Bill 160 are destabilizing Ontario's public education system.

Ms Davies: In our opinion, as educators who deal with students on a daily basis, virtually all aspects of Bill 160 will have a detrimental effect upon our students, either directly or indirectly. Students will feel the impact of significantly fewer teachers when preparation time is cut or eliminated and unqualified instructors replace professionally qualified and trained teachers. Among other things, course selection will be drastically narrowed, there will be fewer extra- and cocurricular activities, class size will increase, students will receive less individual attention, and there will be less evaluative feedback on assignments.

The cuts which will result from Bill 160 are on top of those already imposed by the previous government's social contract and the cuts made by this government. In fact, this government's removal of funding for junior kindergarten and adult education and proposed cuts to Ontario academic credit courses make no sense in light of its assertion that the time students spend in school is important to the quality of learning. These cuts suggest that the goal is not to improve the quality of education but to reduce funding to Ontario's public education system.

Just over a year ago, the Minister of Education and Training introduced the College of Teachers, stating that with such a college ensuring high standards for the teaching profession, parents could be assured that students were receiving the best teaching possible by the best teachers.

Bill 160, however, makes provision for replacing many teaching positions with unqualified instructors. This legislation is not about improving the quality of education but about eliminating qualified teachers and reducing funding to the education system.

Bill 100, the School Boards and Teachers Collective Negotiations Act, permits any term or condition of employment to be bargained and the Ontario Labour Relations Act does not exclude any item from bargaining. Yet Bill 160 proposes regulatory control of (a) class size, (b) teaching time, (c) non-teaching time, (d) teacher qualifications, (e) the school year, school day, professional activity days etc, and (f) work time prior to Labour Day for teachers. These controls virtually eliminate all negotiable items.

Apart from excluding teachers from true free collective bargaining, the regulatory control of these items contravenes democratic conduct as set down by the International Labour Organization, a branch of the United Nations. In addition, the provision which would bind arbitrators to consider the employer's ability to pay is a most dangerous one. Arbitrators must put pedagogical needs ahead of monetary ones. Having to consider the ability to pay could allow programs to be underfunded or eliminated. There is no provision to maintain or improve upon the system. If a board grows and requires additional funding or wishes to improve its programming, there is no guarantee the funding will be there. The bottom line wins out over the needs of the students.

Mr Bull: Bill 160, in combination with Bill 104 and the proposed funding model, emasculates local boards and removes local accountability from trustees. It places it with the more distant and therefore unapproachable provincial powers. Gone will be the days when a parent whose child is at a community school can call a trustee who has the understanding of the local school and of the individual needs of the students. In a democratic society, autonomy and accountability must remain at the local level.

We believe that in order for real improvement to occur in the public schools across Ontario, the government must be committed to:

(1) Adequate funding for all students. Ontario ranks sixth in per pupil expenditures when compared to the other nine provinces and two territories and 46th when American states are included in the ranking.

(2) Allowing school boards the right to set educational taxes locally to ensure local programs can be maintained or improved.

(3) Guaranteeing free collective bargaining of all terms and conditions of employment.

(4) Reinstating full funding for junior kindergarten. All research shows that this is extremely vital to the education of all young children.

(5) Ensuring that a varied course selection is available in all secondary schools.

(6) Removing or drastically reducing regulatory control of the education system and reinstating shared decision-

making, ensuring educators are consulted extensively and meaningfully.

(7) Encouraging, through adequate funding, boards to limit class sizes.

(8) Discouraging high-stakes system-wide testing. All available research indicates that such testing is detrimental to student learning.

(9) Providing educators with professional development free of charge in conjunction with school boards, universities, teachers' federations and other professional agencies.

(10) Ensuring that educators have adequate non-instructional time to complete assessment and evaluation, parent contact etc, through adequate funding.

Bill 160 is called the Education Quality Improvement Act, but we find little in the way of improvement for our students. The previous Minister of Education promised to create a useful crisis in order to change the education system. Our provincial government has succeeded in this regard. But as we have argued, change for the sake of change is not progress. Democratically elected governments must understand the consequences of their actions. We do not believe that the implications of Bill 160 for the education system have been adequately or critically understood by the government.

The Vice-Chair: Your time limit has gone; it does go by very quickly.

This brings to the end the morning session. We will resume at 1 o'clock.

The committee recessed from 1208 to 1300.

The Chair: Good afternoon, ladies and gentlemen. Ms Lankin?

Ms Lankin: Thank you very much, Mr Chair. I wanted to begin this afternoon by raising a point of significant concern. You will know that through the course of these hearings we have on a continual basis raised our concern that we are holding hearings on a bill absent a very critical piece of information, which is the government's budget for the Ministry of Education and their intentions with respect to further cuts from the education budget.

Over the past number of months, there had been speculation that \$1 billion was to be cut from the education budget. We know that in the last two weeks the government has been suggesting that's not correct and that that information is erroneous. Yesterday my colleague Bud Wildman, who is our education critic, put forward in the course of discussion with one of the groups that it is our understanding the budget cuts that are intended are in the order of \$600 million, and that is absolutely unacceptable to a quality education system.

That number has been pooh-poohed, but I think it's important for the committee to know this has now been confirmed. In fact the leader of my party, Howard Hampton, and Bud Wildman about an hour ago released to the media copies of the performance contract of Veronica Lacey, the Deputy Minister of Education and Training, in which it spells out very clearly that her performance this year will be judged by her success in achieving a \$667-million cut to the 1998-99 budget of the Ministry of Education.

In light of that information, I feel this whole committee process with respect to Bill 160 has been completely compromised by the government. This information has been known to the government and I suspect to at least the parliamentary assistant, if not the government members of the committee, and we have repeatedly asked for conformation about whether there would be cuts to the budget and have not had that information provided. That this certainly casts a completely different light on the contents of Bill 160 without specifying in the legislation what class sizes will be, what non-certified instructors' positions will be, all the things we've been raising concerns about. To look at that in light of a \$667-million cut to the budget of the education ministry for elementary and secondary education in this province — we understand very clearly what the intent of the bill is and it's entirely different from what has been presented, from what was presented by the parliamentary assistant in his opening remarks to this committee.

I look for some guidance from you, Mr Chair, because I believe the members of the public who have been asked to come forward have not been provided with full information, so the context of their remarks has changed dramatically by this information. I believe it would be appropriate for the committee to be adjourned until the minister can come forward and confirm what the budget intentions are, so that this bill can be seen very clearly in the light of the fiscal directives of the government to give us a fuller understanding of what the impact of the bill will be.

I suspect the parliamentary assistant will want to make some comments. I won't put a motion forward at this time, but it strikes me that given the urgency of clarity, given the discussions taking place between the federations and the minister at this time, given that we could be 48 hours away from a potential province-wide strike affecting over two million children and given that we have all been asking for this information and now have confirmation of the government's intent to cut another \$667 million from the budget, it would be appropriate for the minister to come forward and for this information to be confirmed on the record prior to any more public deputations being made, in order to inform those public deputations and the members of the committee.

The Chair: Is this a point of order?

Ms Lankin: It isn't a point of parliamentary order. Obviously what I am raising is a very significant concern which I believe has a dramatic impact on the course of these public hearings. I will, if you wish, put a motion forward at this time, but I would first like to offer the parliamentary assistant an opportunity to respond to the concerns I've raised and see if there is a consensual way we could proceed at this time.

The Chair: Number one, it is not a formal point of order, which is the only matter I have to deal with under the rules. Secondly, as you are not a member of this committee, you cannot propose a motion at this time.

Ms Lankin: Yes, I can. I can't vote on it, Mr Chair, but I can propose a motion.

The Chair: Perhaps we'll have to consider that statement. You're telling me that even though you are not a member of this committee, you have the right to move a motion?

Ms Lankin: I can draw on precedents on a number of other occasions where I have been allowed to do so by the Chair. At this point, however, Mr Chair, what I am trying to do is actually raise an issue of significant concern. There may be a consensual way with the parliamentary assistant that we could agree to proceed. I believe it has direct bearing on the continuation of these hearings and the context in which public deputants are coming forward. I'm bringing this information to inform the committee and asking that we may have a brief discussion about how that should affect our proceedings at this point in time.

The Chair: Okay. Number one, it is not a proper point of order. Number two, you are not a member and therefore cannot move a motion. However, you have posed a question to the parliamentary assistant, which is permissible. He can answer it now or at some later time.

Mr Smith: I'm certainly prepared to respond to it. From my perspective — I don't know what material Ms Lankin is speaking of, even though she has indicated I have some familiarity or understanding of the numbers that have been proposed by her.

What I can say to this committee and to others who are in attendance here is that the government has made very clear its intention to stabilize funding through the 1998 year up to \$14 billion. There have been no final decisions as to the new funding formula.

I have been here, as have you. I fully appreciate the concern and interest in that funding model. We have been consulting with expert panels since May of this year. We continue to consult and seek advice, to ensure that the funding model appropriately addresses all issues of concern to parents and teachers and students. Those decisions have not concluded, so it's difficult for me to respond to speculative numbers, because those decisions have not been made. In fact, the commitment to provide stabilized funding through the next school year is there and in place.

I would leave that with the member for Beaches-Woodbine. I appreciate the issue she's trying to address. From my point of view it would be the government's viewpoint that these proceedings should continue. Certainly the suggestion that the member has made does not compromise the context or the remarks we are receiving from deputants here today. I'm duly noting the concerns that are being expressed about availability of funding formula.

I can assure people here that we are taking every opportunity available to us to ensure the funding model is right. We are taking time to do that. In the interim we have recognized that there is a need to provide stable funding through a transition period. Those are the decisions that have been made to date, and nothing beyond that.

Ms Lankin: Mr Chair —

The Chair: Excuse me, Ms Lankin. I've made a ruling that it's not a proper point of order. You've asked a question; you've received the answer.

1310

Ms Lankin: I have another question to ask. I would like to ask the parliamentary assistant to obtain and file with this committee — I'll even make available a copy of it to him, but I'm sure he'll want to obtain it from the ministry — the 1997-98 performance contract for Veronica Lacey, the Deputy Minister of Education and Training. I would ask him specifically for clarification — if you look to the documents attached to the environmental scan, you'll see the ministry-specific expectations. It's on page 2 of that, under the key result areas, dealing with elementary and secondary school. The results expected spell out the following:

"A new funding model in place, September 1998" — which we haven't seen yet at this committee — "that will allocate education revenues fairly among school boards, provide resources to ensure high-quality education, protect the investment of special education, children at risk, and ESL programs.

"Capital investment —"

The Chair: Excuse me, Ms Lankin, there's no need to read a document.

Ms Lankin: I'm asking for clarification.

The Chair: Ask the question.

Ms Lankin: There are three points I'm asking for clarification on. I'm just reading those three points. I'm not reading the whole document.

"Capital investments of \$650 million during 1997-98 and 1998-99 to renew and build schools." And most specifically, I say to the parliamentary assistant, "Plan for the 1998-99 \$667-million reduction" to be "in place."

That clearly specifies there has been a fiscal decision taken. I would ask you to go back and clarify with the ministry and provide us with a clarification of that specific direction to your deputy minister.

The Chair: Thank you, Ms Lankin.

ONTARIO FEDERATION OF TEACHING PARENTS

The Chair: Our next presentation is the Ontario Federation of Teaching Parents. Good afternoon. I'd ask you to identify yourselves and proceed with your presentation.

Mr Albert Lubberts: Thank you very much. My name is Albert Lubberts. I'm the president of the Ontario Federation of Teaching Parents and one of the founding members. This is my assistant here, who happens to also be my daughter Marnie. She's with us today as well.

Our presentation is going to be from the perspective of home-based educators and the experiences we've had with school boards, with the ministry, and how we see that tying into the new proposed Education Quality Improvement Act.

First of all, to introduce the Ontario Federation of Teaching Parents, we were organized in 1987 to address the common concerns of home schooling parents in Ontario, and to this day we still do that. We are a non-sectarian, non-profit organization, and we strongly support parental choice in education and we support the parent's

right to due process of law. We also act as a link between many home educators in Ontario and the Ontario Ministry of Education and Training, and also we lobby on behalf of our constituents.

We believe the Ontario Education Act is very good in respect to home-based education. We believe it is one of the best in Canada, as such, as far as home-based education is concerned, though we do recognize that some changes for the better could be made in regard to private schools.

Historically, throughout the history of the Education Act and the way it has come to us today, the people of Ontario have clearly expressed a desire to have choice for how their children should be educated. The act allows that. The act, for example, allows parents to choose to send their children to the taxpayer-funded public or Catholic schools. Parents may choose to send their child to one of 600-plus independent inspected schools which use the Ontario curriculum and employ certified teachers. Further, parents may choose to send their child to a non-inspected private school that employs teachers who meet the standards of that particular group of parents. As well, parents may choose to educate their children at home. The Education Act allows each one of these options for parents today.

The Education Act, though, has a system of checks and balances. It's not that children would not be ensured of receiving the education they deserve between the ages of six and 16. There are all sorts of checks in there that make sure children are actually educated. We have compulsory education in Ontario, but not compulsory public school attendance, and there is a difference between the two.

The Education Act not only ensures that the Ministry of Education and Training is notified, but also allows for the inspection of private school records to ensure a system of instruction is in place. The Ministry of Education staff are not given the right to impose public school standards on independent schools that do not use certified teachers or follow the Ontario curriculum. Section 16 of the Ontario Education Act governs all our private schools.

The same principles apply to parents educating their children at home. Section 21(2) lists eight different reasons where a child is excused from attendance at school. "School," as used in the Education Act, always refers to the taxpayer-funded public or Catholic school systems. Section 21(2)(a) is of special interest to home-based educators because it says,

"(2) A child is excused from attendance at school if,

"(a) the child is receiving satisfactory instruction at home or elsewhere."

This permits the parents to set up a program of education for their child that they are satisfied with. As in all other cases, the parents have the right to choose whatever program they believe is most satisfactory for their child. This may be in the public school, in an inspected private school, in a non-inspected private school or at home with a program designed by the parents.

Section 24(2) allows the provincial school attendance counsellor to set up an inquiry procedure to determine "the

validity of the reason or excuse for non-attendance and the other relevant circumstances, and for such purpose shall appoint one or more persons who are not employees of the board that operates the school that the child has the right to attend to conduct a hearing and to report to the provincial school attendance counsellor the result of the inquiry."

Again we have this set of checks and balances that ensures each and every individual child in Ontario receives the proper education. It's always the parents that determine what is satisfactory for the child.

Therefore, in a taxpayer-funded education system, close cooperation between parents, teachers and administrators is a must. We cannot operate a public system without it. Mutual trust must exist to ensure that the educational needs of each and every child at every age level are met, and that is not easy. Children do not always learn at the same rate. Some learn reading easier than others and at an earlier age than others. Some learn adding and subtracting at an earlier age than others. That does not make the other children stupid; it just points out the fact that all children learn differently.

This of course makes teaching children a very daunting, challenging and rewarding task. So there is a lot of work to do with this, that teachers have, that parents have, and it has to be a cooperative effort all the way around. Parents must always have a say in the education of their children, whichever form they decide to employ in Ontario. No one knows the needs of the child better than the caring parent.

An education system should foster an environment that encourages learning, an environment that encourages the child to reach out for his or her best. It should encourage the child to develop meaningful sets of experiences that would help the child to learn particular skills or trades, especially in the secondary school level. Credentialism and expertism — two new words I just made up, I guess — run rampant in our society but can often mean little in reality. Real life experiences are not often included as counting for much today, which is exactly the way the public system has got itself into the mess we see today. Otherwise, we wouldn't be here, having hearings on how to revitalize the education system.

Another thing OFTP cannot accept is the current concept that children are "clients" of an education system. Parents are paying for the Catholic or public school systems, and for many, there is no alternative. They have no means of having their children educated any other way. There can be no switching to a different system as one might change doctors, dentists, lawyers, accountants etc, if one is not satisfied with the original, so the taxpayer-funded system must meet the needs of each and every child it enrolls.

Another point in respect to the proposed act: The centralization of power allows a very few bureaucrats to make important decisions on behalf of many, with few checks and balances. This increases the risk of personal biases and prejudicial decisions can be the result. This is not idle speculation. I would like to give you just a few examples of how we, as home schooling, home-based

educators have been affected by that because we are governed right now by very few bureaucrats with tremendous power.

The first point I would like to make is that parental rights can easily and often have been violated by school board and Ministry of Education staff, especially with respect to when school boards inform social service agencies and/or children's aid agencies about home-based educated children, alleging lack of instruction and/or child abuse. Due to receiving this information, social service agencies have improperly withheld funds and children's aid agencies have initiated investigations of child abuse about parents who have legally chosen to educate their children at home.

In one area in Ontario the situation got so extreme that the local CAS passed a resolution that they would no longer investigate home-based educating families based on complaints from the local school board. There simply was never any evidence of abuse and the school board's requests were wasting the precious resources of the agency. Evidence clearly shows that parents who educate their child at home do so out of love and concern for the well-being of their child.

1320

Another area where we've had difficulties is in the attempted closure of private schools by Ministry of Education and Training staff. Parents have, as we stated earlier, the right to associate and operate non-inspected private schools. Certain staff at the ministry are refusing to recognize this parental right by refusing to recognize the duly filed notice of intent to operate a private school, as required by section 16. The Ministry of Education and Training states that these private schools, although being recognized for the last 10 years or more, suddenly do not meet the definition of "institution" when there was no amendment in the Education Act in this respect.

OFTP firmly believes this violates the written opinion of the counsel for legal services of the legislation branch of June 24, 1992. In writing, legal counsel says: "Private schools are, by definition, institutions. This does not mean that they are prohibited from operating on various campuses. The campuses may be at the homes of pupils, and the teachers may also be the parents of the pupils. However, unlike home schools, all campuses of the private school are covered by section 16. They must be identified to the ministry through the principal, headmaster, or person in charge of the private school. Ministry inspection powers apply to campuses."

As this unmistakably shows, parents have the right to operate home-based private schools. This is also supported by local zoning bylaws.

A third area in which we've had difficulty is regarding registration demands of home-based educators. School board superintendents are demanding that home-based educators register and request permission for home-based instruction of children. As noted earlier, section 21 allows parents to teach their children at home. They determine that this method will satisfy the needs of their child.

Counsel of legal services, legislation branch, agrees with the parents. In the same written document as I quoted earlier, he states, "There is no express requirement for the parent to notify the ministry that home schooling is being conducted." Despite this, parents are threatened with legal action if they do not register.

The following ad was placed in the local newspaper by a school board superintendent at the beginning of September, and I'm going to read it to you. It says:

"Notice to home schoolers: Parents who intend to home-school their children this year must obtain approval for their children's program from the superintendent of education with the Haliburton board of education. Please phone 457-1980 and ask for Julie to obtain registration forms. Parents failing to register with the board are in violation of section 30(1) of the Education Act and are therefore, upon conviction, subject to penalties imposed under the act. Please register by September 15, 1997."

Section 30(1) of the Education Act states, "A parent or guardian of a child of compulsory school age who neglects or refuses to cause the child to attend school is, unless the child is legally excused from attendance, guilty of an offence and on conviction is liable to a fine of not more than \$200." But children who are educated at home are legally excused by section 21(2). Yet the superintendent stated he had checked with the Ministry of Education and Training and was given the go-ahead for the advertisement.

This is not the only case. There's another one we've had in Oxford county. An Oxford county supervisor of student services demands that all parents who seek to teach their children at home fill out a home schooling letter of intent. The supervisor also states that he or his designate will determine satisfactory instruction and approve the home schooling program provided. Yet in the same letter the supervisor quotes section 24(2), stating "persons who are not employees of the board that operates the school that the child has the right to attend to conduct a hearing" to determine the validity of non-attendance at school. Obviously he contradicts himself in the very things he says.

During this last school year, there have been nine "satisfactory instruction" cases instigated by the provincial school attendance counsellor. In each case it was determined that the program of education satisfied the requirements of the parents of the child. Non-attendance at school was determined, in each case, to be valid under section 24(2).

All of these incidents can be traced back to the Ministry of Education staff and it is they who use their puppets in the school boards to carry out a personal agenda.

Further, and more serious, all these actions are taken without support from the Education Act. There is, as well, no official numbered policy memorandum that is being followed. This was confirmed by letter from the former Minister of Education Mr Snobelen to OFTP this summer.

These are areas where we've had difficulties with the Ministry of Education and the school boards and we're always dealing with only one or two individuals. So

centralization of power, if the new act does that as well, can be an extremely dangerous thing and that's a major concern by OFTP constituents.

As well, OFTP families and children do all of this at their own cost. They pay their taxes. They support the public funded system. They don't complain about that for the most part. They freely and lovingly give to their children the time and resources required to meet the needs of their children.

These are all things that home-school families or home-based educators do freely with no help or funding from the provincial ministry. Yet these same home-based educators probably save the government \$1.3 million in per capita funding alone every year. There are approximately 20,000 children who are educated at home or in parent-operated private schools. That of course does not go to say anything about hiring additional teachers if all of these were in the public school, or providing facilities for them. So the costs are much greater than just those saved by parents teaching their children at home and are legally doing so.

What has all of this got to do with the Education Quality Improvement Act? It's just this: It shows the ever-increasing need for parents to be more involved in their child's education. No, OFTP does not expect the government to dismantle the public system, but parents must be encouraged to get involved in the classroom and in the decision-making process. The new Bill 160 does not clearly outline how this would be attained, even though there are parent advisory councils that will be set up. That should be clarified in the act and parents must be more involved and encouraged to be more involved.

It's clear that too many officials in the school boards have absolutely no understanding of the Education Act or are wilfully ignoring it. Worse still are the Ministry of Education and Training staff, who from all available evidence are following their own agenda and forcing it on school boards. This government has done nothing to foster trust and cooperation, especially with the home-based educator groups. This government must start showing that parental desires to meet the needs of their children come first and foremost.

Money, when spent, must be spent in the classroom to benefit children with the latest state-of-the-art technology, innovative teaching methods, and constructing alliances with industry, business and professional organizations to provide student work skill, real life experiences. Administrative costs must be kept to the minimum.

We look forward to the time when parental rights will be respected and honoured by this government. Home-based education has flourished and has established a successful track record in Ontario. Families have worked well together to do that. There is no door closed to home-based educated children. They can go on to further education in colleges and universities. They can choose whatever career they want, just as they could through the public system.

We trust that the Ontario government will look long and hard at the changes it wants to make with the Education Quality Improvement Act, 1997, to see if these

really meet the needs of children as determined by their parents.

The Vice-Chair: Thank you for that presentation. That leaves us a little over two minutes a caucus and we'll start with Ms Lankin, in the NDP caucus.

Ms Lankin: I appreciate your both taking the time to be here today. I was struck by the problems you outlined that you've had in dealing with staff at board level or at ministry level — not you personally maybe but members of your organization.

One of the things we've heard from parents, whether they are parents who are involved in some of the parents' councils, some of the networks that have formed, parents have come forward from the quality education organization or home-teaching parents — there's been a common theme around this issue of accountability. One of the things that has disturbed me most about the particular bill in front of us is that despite the words that this is intended to improve quality of education, there are no measures in the bill that actually improve the quality of education. There are a number of areas which, depending on the government in power, whether it be this government or any other government, if they took those powers and acted one way it might improve quality of education, and if they took them and acted another way it would not improve quality of education. I worry that this kind of power is being taken into the centre of government without the checks and balances and parent involvement.

Do you feel this bill is of concern in that respect and would you support amendments that bring some of the government's stated intentions like a maximum class size, that information and specifics, directly into the legislation, in that and a number of other areas?

1330

Mr Lubberts: I think the proposed bill should do that simply because if you leave it to generalities, the Lieutenant Governor can do basically as he or she pleases. Usually these decisions can be left up to senior bureaucrats and so on and they can impose whatever they please, and it can change from government to government. That's what worries me. We may have a Conservative government for a number of years. We may have a Liberal government. We may have an NDP government. If they can pick and choose and do what they please with these things, we can have a real switch in how schools are operated every five years, for example, and that would be a real danger.

I think there have to be specifics mentioned in the act, outlined as such, as to exactly what the government is going to do. That way, it will stay stable for years to come unless there are specific amendments to the act and then everybody, again, can comment on them and have that particular input as well.

Mr Smith: Thank you both for your presentation today. Over the course of the day and a half that the committee has been sitting, we've heard some suggestions from groups and organizations that effectively they're confused as to why a group like yours would be invited to

a committee to deal with public education. What would be your response to that suggestion?

Mr Lubberts: We were a little bit surprised ourselves, actually, that we did get invited to make a presentation at this particular hearing. We do have of course a very close interest and follow very closely what happens in the public system. In that sense, many of the children who are educated at home for the first elementary school years of their lives go to public high schools and so on afterwards, or they even go into schools later on. The children have to fit into that system without a major difference. Otherwise, it would be catastrophic to the child's learning process. We want to be able to work along with that to keep things streamlined in that respect so that we can always make sure the best happens for our children, because home-based education doesn't always go through for 12 years of a child's learning process in that sense. So yes, we are very involved in that sense. We are also still taxpayers as well, in that we support the public system in that way.

So both from our children's point of view, who may enter the system at any time, and through being taxpaying citizens of this province, we still want to maintain close contact with the public system. We're not anti-public-school in that sense, is what I'm trying to say.

Mr Smith: The legislation itself mandates the establishment of advisory school councils, and one of the questions that needs to be answered, obviously, is the extent and the roles and responsibilities that parents will play. I think you in your presentation, as have some others, suggested that the use of the word "advisory" automatically minimizes the role of school councils. Could you share with the committee your views in terms of the extent to which parents should be involved in their school community and its operations?

Mr Lubberts: Parents should be, first of all, as I mentioned, allowed in the classrooms themselves to see and have input on what is going on — not of course interrupting the class as it goes along — and if they see that things are not being done properly, there should be a mechanism in place where parents can actually raise that concern and, if the majority agree, have it changed. They should have input directly into classroom content and they should have input into the way these particular schools are run on a financial basis as well, as to what is happening from that perspective. They should be in the decision-making process from the financial end and have direct input as to what the curriculum and the priorities of the local area are.

"Advisory," of course — when one gives advice, it can be ignored. That's one thing that we are always a little leery of when that term is used.

Mrs McLeod: Since Mr Smith continues to attempt to be provocative with the question of whether there were criticisms of your being here, let me just for the record say that any concerns that were raised about home schoolers presenting to this committee were solely in the context of a very exclusionary process that had been introduced by the minister in which there did appear to be an imbalance of those who were involved in alternatives to the public system versus parents from parent councils and other

parent groups who had chosen to look for change inside the public system. If the process was not exclusive, there wouldn't have been any questions raised at all.

I'm glad to see your presentation. Bear with me if I emphasize a couple of things that you've repeated twice, because I think in today's climate it's an important message, and that is that close cooperation between parents, teachers and administrators is a must. Mutual trust must exist to ensure that the educational needs of each and every child at every age level are met. And you note about MET staff, ministry staff, who from all available evidence are following their own agenda and forcing it on school boards. I don't think that comes exclusively from ministry bureaucrats. It think there is very definitely a government hand behind that. But your statement really is that the government has done nothing to foster trust and cooperation. I really believe that's true, and I think it's leading us to some very, very sad outcomes almost as we speak.

I also note, and people who presented on behalf of home-schooling parents this morning made the same point, that you're concerned about centralization of power in the hands of a very few people. As others have gone through the legislation, they've noted 186 areas in which not the government by vote, but the cabinet itself can make decisions that fundamentally affect education.

One of the things that surprised me in your brief, though, was the concerns you have with the way in which they are dealing now with private schools and with home schools. I'd like to ask you just to comment on how you see the role of the ministry and perhaps how you see the role of school boards. I would assume you think the ministry does have a responsibility for ensuring that for children who are exempt as home schooling, a certain standard is being met.

Mr Lubberts: Certainly the Education Act right now gives the ministry, through the provincial school attendance counsellor, the right to examine the program that the parents have set up for their child. Section 24 sets up that inquiry process to do just that. It's a very unbiased inquiry process if and when it's followed, which is very rare, because it employs people who are not directly involved. They are employees of the other school boards or ministry staff that are not directly involved with the particular case or with the school board that operates the school that the child would otherwise attend.

The process is there to ensure there is a program in place for educating that particular child. The inquiry process is there. We don't object to that. We think it's a good thing. It has to be there. Children deserve an education, and as concerned parents and caring parents, all parents would want to make sure their child receives an adequate education. Today's Education Act does that quite well. Unfortunately, these procedures are not being followed by both the school boards and ministry staff, and that's where our difficulty lies.

The Vice-Chair: Thank you very much. Your time has expired. We appreciate your presentation.

ONTARIO COALITION FOR EDUCATION REFORM

The Vice-Chair: At this time, I'd like to call on the next group, the Ontario Coalition for Education Reform. If you would identify yourselves for the Hansard record and then proceed, as the time has started.

Ms Maureen Somers: My name is Maureen Somers. I'm co-chair of the Ontario Coalition for Education Reform. With me are my colleagues David Hogg, director of the OCER; Brian Oxley, director of the OCER; and Cindy Chatterson, director of the OCER. Good afternoon, ladies and gentlemen.

The OCER was founded in 1993 as an umbrella organization serving a wide range of educational groups. Member groups include teachers, parents, school trustees and ratepayers dedicated to improving Ontario's education system. The members of the OCER would like to take this opportunity to generally support the government's efforts to establish, through Bill 160, reasonable and meaningful ways to control education costs and improvement, and to improve the quality of education in Ontario.

Bill 104 was one small but important step. The OCER sees Bill 160 as another crucial step on a very long road towards improving the quality of education for each Ontario student.

We applaud efforts to establish control over spiralling increases in education spending that have often had no effect on increasing the quality of education. Unfortunately, many school boards and teachers' unions believe the spending of massive amounts of money and the quality of the education received are directly related. This clearly has not been the case.

1340

The latest set of test results at the grade 4 level from the Third International Mathematics and Science Study, TIMSS, released in June 1997, showed Ontario students at the bottom of the participating Canadian provinces. These latest dismal results again stress the need for substantial change in the education system.

We support a move to establish minimum teacher-student contact time. This should not be in the local board collective agreements, but should be consistent across the province. It is the OCER's view that it is perhaps even more essential to examine the quality of contact. It is a matter of quality, not quantity.

We recognize the value of school day preparation time for teachers. However, this is not the only time they have to prepare their lessons. It is unrealistic for any teacher to expect a working day from 9 to 3. We concur that decisions regarding the allocation of preparation time for individual teachers may be made by the school principal in consultation with the school staff and in recognition of the varying needs of different teachers with different workloads.

We strongly believe in the need to limit — limit — the size of classes. Classroom sizes have increased with some school boards because of lack of control. Teachers' unions during the collective bargaining agreed to larger pupil-

teacher ratios to recoup lost wages after the NDP social contract. They agreed to do this for their own financial benefit. Setting class sizes cannot be a local responsibility or an issue which is tied to the financial interests of any particular group.

The Economist, March 29 to April 4, 1997 — I have included a copy of this publication with our presentation for the committee to read — published the Third International Mathematics and Science Study in which Canadian 13-year-olds placed 18th in both subjects among 500,000 of their peers in 41 countries. The study showed that factors such as instructional techniques, school leadership and the type of programs being offered had a significantly greater impact on student learning than change to class size alone. The theory among the teaching profession that children are bound to do better in smaller classes doesn't stand up.

It is critically important that the public have confidence that teachers can deliver quality education. We recommend that principals and vice-principals be removed from the teachers' unions. At present, there is no effective agency that protects and promotes teachers' professional image. If the public has no confidence in the teachers' professionalism, the education system is undermined. Confidence must be based on respect and trust. We see principals and vice-principals as those best positioned to protect and promote teachers' public confidence, professionalism and image. They cannot do this if they are forced to toe the union line and thereby cannot be seen as a neutral and unbiased party. Further, this membership in the teachers' unions compromises their management responsibility to censure or replace inefficient staff.

We support the establishment of parent councils being legislated. We do, however, question the wisdom of prescribing their role as advisory. School councils must be permitted to make decisions on things that really matter. We believe that by prescribing "advisory," it will weaken the efforts of parents to have an effective role in the governance of their schools.

The quickest way to demonstrate how such a council can be effective and at the same time allow parents an alternative to the public system would be to introduce a chartered school concept through legislation.

We support legislation that would allow the government to ensure students have the opportunity of greater access to specialists with professional experience. We also believe students can benefit from having access to professional guidance staff who have actually acquired experience in the non-academic workforce. The present practices used in Germany should be studied, where business and industry are effectively represented by the guidance staff.

We support the concept and use of alternate professionals; for example, early childhood specialists, computer programmers, graduates of library science programs, art and music professionals.

We realize the problems in Ontario education appear difficult, but the solutions are not mysterious. An effective school system is one where a core curriculum of subject matter exists with clear, high expectations for all students;

regular and clear province-wide tests; grade 12 exit examinations; effective teacher training — going through a faculty of education does not necessarily make a person a good teacher; effective techniques of instruction; and parental choice.

We regret the recent grandstanding and confrontation by Ontario's teachers' unions. We would look to them to follow the example of the National Education Association, the largest teachers' union in the United States, and become part of the solution by cooperating and contributing from their expertise. The NEA decided not to hamper its own effectiveness by being on the wrong side of the education reform debate for too long.

Teachers enjoy guaranteed wages, pensions, gratuities and specific working conditions. They have for many an enviable contract. If they violate this contract, they are breaking the law.

Generally, Bill 160 is a step this government must take to bring real accountability to Ontario's education system. The members of the OCER believe this government has the responsibility to control costs and improve the quality of education for each Ontario student. Bill 160 is not a collective agreement and it does not need to be negotiated.

We thank you for taking the time to hear our views and will now take your questions.

The Vice-Chair: Thank you for your presentation. We have over five minutes per caucus, and this time we start with the government caucus.

1350

Mr Froese: Thank you very much for your presentation. We've heard in the last day and a half from a number of groups. The government is listening to parents. Some of the groups have come in and said that the parents are totally against what we are doing as a government, yet in your organization you have members who are teachers, parents, school trustees, ratepayers. I found that in my own riding.

We monitor the calls that come into my office with respect to all issues, including education reform. If I take away the teachers who are calling in in the last number of weeks because they have a set agenda, they've been protesting my office and so on and so forth, if I take away this specific time period from the teachers who are protesting my office, I'm not hearing what those groups have been saying to us. I just want your comment on what your organization — you have teachers and parents involved, and you have school trustees. Do you feel you're getting a balanced approach or getting the real concern of the parents? Anybody can answer it.

Mr Brian Oxley: I'd like to answer that, and I'm glad you raised it. We were all aware, over a number of years, of a growing groundswell of public opinion concerning education. You've only got to look at the number of commissions, reports and public consultations, going back 20 years at least, and there is a theme through there. It is that we have been slipping, we have been stubbing our toe, we haven't been getting there.

As a result of this groundswell, a number of different organizations sprang into existence. They weren't just

parent groups either. There were trustee groups and many teacher groups. It was only when we realized that these groups were all saying the same thing that we said: "Hey, wait a minute. We ought to get together." The result was the OCER. We're just an umbrella organization; we don't have a direct membership. We do reflect the opinions of those groups, which, as you pointed out, contain a lot of parents and a lot of teachers.

I rarely, if ever, talk to a teacher who doesn't substantially agree with the things that we say, in private. What is striking to me is that despite this general dissatisfaction with the status quo — and this is not a political statement, believe me; you don't know what my politics are. Suddenly, we have a government that looks like it's doing something, and we get all kinds of people coming out of the woodwork defending the status quo when there's been a rumbling in the mountains about that for a long time. Suddenly: "You want to change it? Oh, you can't do that."

Who has the right to change something like the length of the school year? This is where the crunch comes in Bill 160. It's unfortunate. I think an earlier presenter said something about how Bill 160 doesn't deal with some quality issues. It doesn't. It tries to address the governance and some itty, bitty things. I hope the whole issue is resolved very quickly, because then we can get on with some of the real quality issues like the curriculum and like the grade 12 exit examination this year.

Mr David Hogg: I'd like to pick up on that if I may and quote from some of the documents that I have here, because I think there's a lot of misinformation going around.

I'm quoting from Annie Kidder's speech at Maple Leaf Gardens on October 6. One of the items is, "It allows them," the government, "to decide if they want that no one has to be a certified teacher in order to teach in our schools." I haven't seen that in the legislation, nor will it have an impact, just because we have contracts with teachers. They're in place.

Another statement that was made to a board of trustees: "The government wishes to introduce unqualified, uncertified 'experts' into the classrooms. Would you want an unqualified doctor to operate on you?" I haven't heard that the government wants to introduce unqualified people. What I'm hearing is that rather than having certified unqualified teachers, they want qualified uncertified teachers.

I posed a question to my daughter. I said, "Who would you prefer to have teaching computers to your children: your mother, who is a highly respected teacher, or Joe Blow around the corner?" who is a friend of theirs. She just laughed. This man happens to be an expert in computers.

This is the sort of misinformation that unfortunately is taking place. "Would you want an unqualified doctor to operate on you? Would you want a GP to do brain surgery on you?" I don't think so. We have to get away from this rhetoric and invite the teachers as professional associations to engage in a meaningful discussion with us. That is one of the focuses of our presentation here.

Mr Smith: One quick question. If I heard you correctly, you said you didn't have a direct membership, but you must have some understanding of the scope of your umbrella in terms of the number of people you are speaking for today.

Ms Somers: Our organization is province-wide. The coalition itself, as Brian mentioned earlier, does not have a membership list. However, the smaller groups of parents, teachers, ratepayers etc across the province have their own membership lists and they could vary anywhere from 20 people up in North Bay to 1,000 or more in Kitchener-Waterloo. On our board of directors we have a representative, if not more, from the various groups we represent. Instead of bringing everybody with us, that's why we are here today speaking on their behalf as well as our own.

Mr Smith: Given the extent of your organization as a province-wide group, what in your opinion would be the expectations of those individuals in the event of an illegal strike by teachers in this province?

Mr Hogg: I'm not sure this is a membership reply, but I was out talking to a family, the husband of which had been unemployed for three years. Let me tell you, that person doesn't have any sympathy with the idea of an illegal strike by a group of people who are reasonably well remunerated, who have reasonable conditions and enjoy security that he obviously doesn't have.

Mr Oxley: I think the important point about that is it's a lousy example to set.

The Chair: Excuse me. We have to move on.

Mrs McLeod: I appreciate two things: first of all, Mr Smith asking the first question I was going to ask, which was about not having a direct membership. I appreciate how difficult it is to offer a membership reply if you don't have a direct membership to consult.

I also appreciate your comments about the certification of teachers and the need to have qualified people at the head of a class, because indeed you would not want a general practitioner doing brain surgery. I have to quarrel with you, though, in terms of the legalities of the act and what is in the act.

In Ms Kidder's statement — I noticed the quality education representative this morning used exactly the same quotation from Annie Kidder's speech — she is absolutely correct. In the act are provisions that allow the cabinet, not government by legislation but cabinet, to determine who needs to be a teacher. There is a clause of non-presumption which basically says that it shouldn't be presumed that anybody who teaches a class has to be a teacher.

Mr Hogg, if you will, please, because you said let's not spread misinformation, I want to put the factual information clearly on the record. Given what you've said, you'll be concerned to know that this is in Bill 160.

The College of Teachers presented to our committee yesterday. The College of Teachers, which was given responsibility by this government for the certification of teachers, for standards and for standards of professional practice, asked that the specific clauses in the bill — and

since I'm sure you'll want to support it, I'll give them to you: section 81 and section 118 of Bill 160 — be withdrawn in their entirety so the responsibility for certification remains in the hands of the College of Teachers. I suspect that's something you would urge the government to amend, given your earlier comments about the importance of having qualified teachers in the classroom.

Mr Hogg: I don't think it helps to exaggerate the situation. That's what's happened in this particular case. We have contracts with teachers, they have standing with the school boards, and it would be impossible to get rid of them. Let me tell you that there are other jurisdictions that have this ability within them. I would not have been a teacher if I'd had to be certified beforehand, because it would have been financially impossible for me. I haven't heard anybody tell me that I wasn't at least an adequate teacher. Some people have been kind enough to say things that are more flattering than that, and humbling.

I think there is balance here. It's this exaggerated rhetoric that is misinforming people, and this misinformation is lowering the debate to a level that we shouldn't engage in. I think what we want to do is to bring it up to a much higher level.

Mrs McLeod: If I may, it wasn't rhetoric coming from the College of Teachers, who asked that these sections of the bill be withdrawn. Did I hear you saying then that it would be the view of —

Mr Hogg: That's self-interest, you know.

Mrs McLeod: I beg your pardon?

Mr Hogg: I think that's self-interest; they're interested in certifying teachers.

Mrs McLeod: The College of Teachers was established by the Conservative government in order to provide for a standard of professional practice in teaching.

In any event, do I hear you saying that in your view — and I recognize it's not a membership view — you do not feel the College of Teachers should have responsibility for certification, that it should rest in the hands of cabinet?

Mr Hogg: No, you didn't hear that.

Mrs McLeod: So you would propose amendments to at least this section of the bill.

Mr Hogg: I would have to look at that very carefully.

Mrs McLeod: Do I have time for another question?

The Chair: One more minute.

Mrs McLeod: I'm interested in having comments from someone in your group about the role of school boards, given the comments you've made about your concern that the school councils would still be advisory in nature. Do you see a role for school boards in the future or do you see actually turning the management of schools directly over to school councils?

Mr Oxley: Sorry, I didn't quite catch the question.

Mrs McLeod: You've noted in your brief that you have concerns about the role of school councils as being advisory. I'm wondering where you see the role of school boards in the future, whether you see turning the management of schools directly over to school councils with essentially an abolition of boards or whether you see some combination of responsibility.

Mr Oxley: That, madam, is an issue which is clearly evolving as time goes on. In our discussions we see a transition first of all to the opportunity to introduce what is commonly known as the charter school concept, which is entirely a public school that operates within the public system and is subject to all the same regulations and so on, but would allow a school to operate more independently without the direct control of the school board.

1400

If that were to work, then at that point in time I think we should reassess the role of the school board. It could well be that in a local area, commonly referred to as a school board district, there would still be the need for a support mechanism for the school and for the teachers in that school, but whether it would be a school board in the present form is an open question. It's an evolving issue, but we're not ready to take that step yet.

Ms Lankin: I appreciate your presentation today. Just one comment: I understand the point you're trying to make about concerns, if people are representing the potential of a bill, to an extent beyond what you think a government would go, and that may be your faith being placed in the particular government of the day. But I think the concerns people are raising are when you take so much power into a government which will be there, don't forget, sir, when another party is government in the future and you may not be so kindly disposed to their points of view. There is a problem with that.

You were incorrect when you said the contracts will exist. The contracts are actually wiped out by this piece of legislation. Whether or not the government intends to do that is a question of faith. I suspect that they're not going to replace all teachers in the system, but that's a question of faith.

I think what has been put forward, and I feel this very strongly, is that what we should be having a debate about here is actually those elements the government feels are important to move on to improve the quality of education. After all, that's what their bill is called. They've said, for example, it's important to limit class size. Your brief says the same thing. The bill doesn't limit class size. The bill allows class size to be set in regulation. It doesn't set any differentiation. We're not having a debate here about what is an appropriate class size, which would be interesting to have public opinion on and expert opinion on, to be able to actually talk about the issues of quality as opposed to a framework which hands it over to essentially bureaucracy advising the cabinet and a system which you have said up to now has not produced the quality results.

I'm a bit flummoxed by the overall faith you're prepared to give over to a system which has, to date, not produced what you think it needs to produce.

I have a specific question just following up on your organizational structure, the member groups. I don't see a list of the member organizations here. Is that available?

Ms Somers: No. The membership lists of the majority of the groups we represent are confidential.

Ms Lankin: No, no, the organizations themselves. Sorry.

Mr Hogg: That could be made available.

Ms Lankin: I would appreciate that. I noticed, for example, that even your quote that you'd rather have a qualified, uncertified teacher than a certified, unqualified teacher was word for word from the brief from Ontarians for Quality Education and Principals for Quality Education and now the Ontario Coalition for Education Reform. I'm wondering, are they part of your organization?

Mr Hogg: Yes, they are a member organization.

Ms Lankin: How did this brief get put together? Without a membership base, how were these views brought together to be presented?

Mr Froese: By computer.

Mr Hogg: What happens in practice is that the right to make presentations of this nature is invested in the board of directors. That particular brief was surveyed by a number of the board members. But to go back, if you remember in the course of our presentation here the statement generally in support of Bill 160, and we, as everybody else, are aware that power corrupts and absolute power corrupts absolutely, I think we see that in some of the machinations that have gone on with respect to Bill 160. It would have been better if there had been a rather freer voice made available instead of a few people making statements on behalf of a large number.

Ms Lankin: Would you be supportive in general — because I obviously don't have the specifics — of the concept at least of bringing amendments forward which took some of these general powers that are being given to cabinet and actually tried to spell out a little bit more in legislation what the quality standards are we're trying to achieve for our children?

Mr Oxley: I wish the exercise had been done the other way around, that we had started by determining what we're looking for in our graduating students, whether they're in a stream which is bound for post-secondary or directly into the workplace. I think if we had started out by defining that and the means by which their status of knowledge and learning would be assessed at the end of the period, then we could see more clearly the steps that would be needed to make the framework. However, there are elements in this bill which one way or another are going to have to be addressed. That's what this committee is about; this is what the whole public debate is about.

Ms Lankin: I too wish we were debating the actual specifics, but that's a very good point that you make. Thank you very much.

The Chair: Thank you very much for your presentation today.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

The Chair: Our next presenter is the Ontario Secondary School Teachers' Federation. Members should have received the written submission and background materials, I assume. Welcome. We have allotted 30 minutes for your presentation. Proceed when you're ready.

Mr Earl Manners: Thank you very much. I appreciate the opportunity to present today, during the limited time you have over the next couple of weeks.

Let me first of all take the opportunity to introduce the people with me. My name is Earl Manners. I'm president of the Ontario Secondary School Teachers' Federation. On my right are Jim McQueen, vice-president; and on my left are Paul Inksetter, our other vice-president; and Maurice Green, our legal counsel.

The brief contains a very detailed clausal review of the legislation. I am not going to go through it clause by clause for you. Let me also say that while we'll be talking extensively about the teachers' right to have a say over the teaching and learning conditions of their classrooms, we're also speaking on behalf of students and parents and communities, who we also believe should have a say over the education system. So many of the concerns we have about the role of teachers and what's denied in this legislation I think also apply to communities, parents and students.

The name of the bill is something that can't go by without mention. Bill 160 is not about improving quality in education, it is about downsizing public education, it's about eliminating programs, it's about laying off perhaps up to 10,000 teachers and replacing teachers with people who don't have qualifications to teach. Nothing in Bill 160 supports the contention that its purpose is to improve the quality of education. The bill does not deal with curriculum, it does not deal with teaching methodology, it does not deal with teaching resources, the cornerstones of quality education and the issues to which this federation has devoted considerable time, energy and money in trying to provide advice and assistance to this government to improve secondary school curriculum over the last two years.

It is about increased central control. Bill 160 is about removing control of education spending and taxation from school boards and trustees and centralizing it at Queen's Park. The bill unnecessarily expands the government's current regulatory authority in an unwarranted attempt to control critical terms and conditions of employment for teachers.

OSSTF does not support the provisions of Bill 160 that remove the constitutional right of school boards to levy taxes locally in support of educational programs for children to meet local community needs and student needs. OSSTF also cannot support legislation which removes the right of teachers to bargain all the terms and conditions of employment and places those terms and conditions in regulations. The School Boards and Teachers Collective Negotiations Act provided for teachers and school boards to bargain any term or condition of employment.

Placing teachers under the Labour Relations Act — which we support, by the way; it's a measure within Bill 160 — should not diminish open-scope bargaining, as the labour act also puts no restrictions on what is negotiable. Yet under Bill 160, teachers would be denied this democratic right to bargain all terms and conditions of employment, a right which every other worker under the act

enjoys. You wonder why the government seems to be picking on teachers in particular in this case.

Bill 160 also purports to be transition legislation similar to Bill 136, the Public Sector Transition Stability Act. As you know, we put forward as part of a group an alternative to that legislation. But it goes far beyond Bill 136, dealing with transition matters associated with school board amalgamations to make substantive changes to education finance and the scope of teacher bargaining. So this bill is even more extensive than 136, and if Bill 136 was bad, as the government admitted, then Bill 160 has to be worse.

1410

It removes control of education finance from school boards; places total control of education spending at Queen's Park; neutralizes the influence of teachers and teacher federations on education policy and education costs; undermines public confidence in Ontario's school system; and I think it really creates the political climate to privatize and contract out education programs and services.

Let me tell you, it sets the stage for a provincial tax grab of hundreds of millions of dollars in the further downsizing of education. I think we saw that today in the performance contract of the Deputy Minister of Education, which was released, where Bill 2, which was the euphemism for Bill 160, is described with absolutely no mention whatsoever to quality of education. It was about education finance, government and labour relations. There was even no mention of it in the quality-of-education issues in her performance contract and it very clearly stated there that \$667 million minimum was to come out of education spending in elementary and secondary schools and perhaps even more to come from capital expenditures.

There's an indication that \$650 million is going to continue to be spent on capital programs, which would be the normal amount the provincial government would spend under the old regime, where local school boards had the power to tax. Now they're still allocating the same amount of money, but it begs the question, where's the rest of it going to come from if school boards don't have the power to levy taxes and debenture that debt?

On Bill 104 we said there was a ticking \$2-billion time bomb. It's there, it's explicitly stated in the deputy minister's contract performance, and I understand there's \$1.5 billion in debentured debt existing out there right now that the government has to take control over. It becomes part of the provincial debt, yet there's been no accounting for it in any of the downloading exercises and descriptions I've seen coming from this government.

Obviously this is a bad piece of legislation. We need to look at alternatives. I want to assure you today that when we met with the minister yesterday, we put forward as a group of teacher federations a set of alternatives that can see us through to the 21st century. We're here as one organization doing that today.

We're suggesting that you first of all guarantee under the control of local school boards the funding needed to ensure quality programs for students. We're asking you to

guarantee qualified, certified teachers in every classroom and learning program. We're asking you to guarantee that teachers will continue to bargain all terms and conditions of employment directly with those responsible for teacher working conditions and student learning conditions — and that begs the question, who is our employer under this new regime? — and to minimize the regulatory control of Queen's Park and its educational bureaucrats; and reinstate shared decision-making on educational policy so that students and their programs are protected.

I say to you something I said yesterday: If you are truly interested in a smooth transition to district school boards, there are elements of this bill, with some amendments or accepted by us, that can ensure that we move to these new district school boards in a smooth, logical and secure fashion: Release the funding model to take away the uncertainty parents and students and teachers and education workers feel about what the real intent of this legislation is, and remove aspects of the bill that have nothing to do with transition. All those that are related to regulatory power, take them out, then you can avoid a confrontation and we can ensure that we can get to the new school boards and take the time to talk about quality-of-education issues in a proper manner. I think that is an alternative that will take us forward, not backwards.

What is acceptable? We provided a media advance yesterday with a whole list of items. I believe you have it in front of you. I'm not going to go through them, but I think you can see we have taken a very careful look at Bill 160 and there are many items in the legislation that deal strictly with transition that we can accept. There are some concerns we have about various aspects of the legislation related to transition where we have put forward solutions or amendments that I think are fair and less arbitrary, but there are those critical pieces that have to be deleted if we're going to avoid the crisis your government has created with this legislation. I would urge you to look at that carefully.

We urge you to withdraw those sections of Bill 160 which extend the regulatory control of the minister; withdraw those sections of Bill 160 which would permit non-qualified, non-certificate personnel to teach in Ontario schools; amend Bill 160 to allow district school boards the power to levy taxes and to make financial decisions independent of Queen's Park — if you can't do that because it's all mixed in with your downloading exercise, then at least refer this issue to the courts immediately for a constitutional reference so this does not blow up in our face six months from now, as I'm sure it will — and amend Bill 160 to ensure that teachers remain entitled to negotiate all terms and conditions of employment through direct and free collective bargaining with their employer.

I ask you to look at our conclusion on page 52 of our brief. We have been in an ironic situation today and yesterday where we had meetings with the Minister of Education, who suggests that we help him give up our rights to bargain our terms and conditions of employment, and he calls it negotiations. You can't have it both ways. Either

you believe in negotiations or you don't, and that teachers should have a say in that decision-making process.

If this is legitimate, what we've gone through the last couple of days — and I dare say, from what I've seen, it isn't — then at least recognize that if you're going to take power and control, you also have to take responsibility. We're saying in the second paragraph in our conclusion that we are prepared to bargain directly with our employers, if you are the employers, our terms and conditions of employment, and that we'll do so based on what you've already recognized in this bill would be the five separate organizations. We will negotiate on behalf of public secondary school teachers and we'll deal with issues like prep time, class size, qualifications, time on task, but we'll deal with you directly.

Don't play a game where you're suggesting we talk about downsizing or giving up these issues in the future through a negotiating process today. Either you believe in it or you don't. I would suggest to you that's really what this is all about. It's about a power grab. You want the power; you want to download the responsibility on to school boards and others in the future.

Other governments may have been criticized by us from time to time of politicizing education, but this government is just determined to sacrifice it, and I think we saw that today. That's why so much central control is mandated in Bill 160. That is why over 50 items in Bill 160 will never be debated again in our democratically elected Parliament at Queen's Park but will instead be determined by regulation: three cabinet signatures, quick, unencumbered, anonymous. Where is the accountability in government by regulation?

This minister has admitted to us that "removing the government's regulatory control in Bill 160 is against the government's objective." That's a quote from yesterday. The Common Sense Revolution lied to the people of Ontario when it proclaimed that less government was the objective. This government has proven time and again that it is power mad, and I don't need to go through all the legislation to remind you about that. It's all about centralized power and government control; I should say cabinet control, not government control.

Ontario finds itself mired in unparalleled labour strife as a result of this deliberate and provocative government action. I would suggest that it's this government which has through this legislation proclaimed its destructive agenda. If they say it's democratically justified, I don't know how they can, when it supplants and ignores democratically elected school board trustees; when it democratically justifies when it acts in ways either not mentioned in the Common Sense Revolution platform, on which it campaigned, or is contrary to that platform. How can it say it's acting democratically when it rips up collective agreements on working conditions established through 25 years of collective bargaining?

1420

There have been legal judgements, recently, and columns in various newspapers that compare the powers assumed in Bill 160, especially the Henry VIII clause, as

having no parallel except in the War Measures Act. Whom are we at war with?

Our society values public education because it engenders the social participation and critical thought necessary to genuine democracy. Yet this government is determined to dismantle public education pillar by pillar: curriculum, governance, finance and collective bargaining. Our collective agreements were even termed "impediments" to the government agenda by the Education Improvement Commission. They're not impediments; they are the last roadblock in the way of this government's bankrupting public education.

Let me assure you we will defend our agreements and, through them, our students, our programs and our schools in the democratic traditions of public education which we have fought for that were won by earlier generations. They were not granted by this government and they do not have the right to summarily remove them.

The Chair: Thank you, Mr Manners. We have approximately five minutes left per caucus and we'll start off with Ms McLeod.

Mrs McLeod: I appreciate your presentation and the fact that you have tabled a significant number of alternatives in spite of the fact that Mr Johnson continues to say that teachers have brought forward no constructive alternatives. But I don't want to deal with the specifics. Who knows when we're going to actually have a chance to look at amendments to this piece of legislation?

What I want to pick up on is the power grab, as you've described it, and particularly the way the government is trying to cast this confrontation that we're on the eve of as being a battle for control between government and teachers' unions. That angers me as a former school trustee because it certainly leaves school boards right out of the picture. But it also concerns me very greatly because I happen to believe we've had a very fine balance of responsibility for educational decision-making, with the province certainly having a role, school boards having a role, teachers and parents having a role, and yes, the collective bargaining table has a role in that as well. There have been times when there have been tensions as a result of that, no question about it, but by and large I think that balance of responsibility for public education has worked fairly well.

What we have here is without doubt, between Bill 104 and Bill 160, a total power grab not on the part of government, and you corrected that, Earl, but on the part of a cabinet, and that concerns me a great deal.

I think beyond that the government has actually made this an issue of trust, and that's what I want to ask you about today. The government is basically saying: "We want all this power. Trust us to use it wisely." We've heard several presentations today in terms of the effect of the cuts to date and the question of whether or not the government has merited trust based on the evidence of their record. Then today we have the clear evidence that the government's intent is to take another \$667 million out of elementary and secondary school education in spite of Mr Eves's statements last week appearing to backtrack on

this, although if you read it carefully, he was saying, "The net result of our cuts might not be as much as \$1 billion."

I guess \$667 million is not \$1 billion, so perhaps he was coming close to telling us what they are planning to do. But we have today Mr Johnson saying: "This is absolutely not factual. We have no intention of taking \$667 million out. We didn't. I know nothing about this," even though he was Chair of Management Board. It's hard for me to believe he would not know the government's fiscal plan.

Tell me, how believable do you think government is when they say on one hand they want to have essentially the lowest possible cost, the national average in spending, it means \$1 billion, and then deny that their fiscal plan is indeed to take \$667 million more out of elementary and secondary education?

Mr Manners: I wouldn't trust them, because I've seen the documents they presented to us as a backgrounder to Bill 160, where they unequivocally stated they were looking to take at that time \$1 billion out of education in a number of different ways, \$667 million of it directly out of the grants for elementary and secondary education, but other additional funds through privatization of support services and other types of cutbacks that are alluded to in the same document that was released this morning. They put that down on paper in front of us to look at and said that was non-negotiable from the very beginning. I find it hard when they then say to the public that this wasn't their intent when privately they were unequivocal in their presentations to us.

Either the deputy minister has been told a lie by the Minister of Education or the new minister is now hiding the facts, but I would not trust them when it comes to this. You just have to look at the document that came out this morning to show that this is totally a downsizing exercise.

Mrs McLeod: Let me ask you then, since I think I have another minute, about another aspect in which the government has tried to deny it has any intention of acting on the powers it's giving itself with this legislation: the powers it's giving itself to cut their costs by cutting teachers. We know that less than a year ago there was a very clear intent to cut as many as 10,000 teachers, and they looked at how they could influence public opinion in such a way that it would be met with some public sympathy. We know this bill provides a number of areas in which they can cut their costs by cutting teachers, both in the preparation time and in having non-certified teachers at the heads of classes.

The government members in the last 24 hours have rather carefully been trying to say, "This bill doesn't give you the power to have non-teachers at the head of classes, just to bring experts in as partners." Would you just like to comment on why all these powers are here in Bill 160 if it is not the government's intention to cut costs by cutting teachers?

Mr Manners: If they are not going to replace teachers with other non-certified personnel, then why do they need the regulation in the first place? That question was asked of the minister and the deputy minister today and there

was no answer to that question except, "We're not going to cover every nitty-gritty situation; it's just in broad terms we're not going to take away all of this." Obviously they still are intent, in some areas, on removing teachers from programs or classrooms where they currently exist.

We also have received, under freedom of information, from the Ministry of Education that public relations document where they tried to figure out ways to sell the cutting of 10,000 teachers by talking about quality-of-education issues to manipulate public opinion when the real intent was a downsizing exercise.

It's very disturbing that this government is spending taxpayers' money on figuring out ways to manipulate public opinion rather than to gauge it and be straightforward with them about what their intentions are.

Ms Lankin: I'll start off and then turn it over to my colleague. I couldn't agree with you more, in terms of the last statement you just made. It is incredibly disturbing and it gets more disturbing as each day goes on.

There has been, through the course of the discussion around Bill 160, a ghost at the table, and that ghost has been, what is the funding formula? What is the budget for elementary and secondary that we're dealing with? As we look at the bill, the government's stated intent to limit class sizes is not written in the legislation. The government's stated intent to increase time spent between teachers and students is not written in the legislation. The government's stated intent, as we've now heard in the last couple of days, to bring in experts just to be supplementary, to be of assistance to teachers, is not stated in the legislation. The legislation does not do the things they say are their intent. We've already heard about the wide-open powers and powers being taken by the government.

We suspected all along that it was about reducing costs, and today we have the confirmation of a \$667-million reduction in the budget. How can the ministry reduce the budget by \$667 million, and presumably by using the elements of Bill 160, what will our schools look like? What will the impact be on the quality of education for our kids?

Mr Manners: There are a number of ways this legislation would allow them to reduce the costs. First of all, it would lead to the cutting of probably about 10,000 teachers, just through changes to preparation time in the secondary panel. Every seventh teacher would be laid off as a result of their proposals. That's 8,000 teachers across the province. That would have an impact on other parts of classroom instruction and support services for teachers, leading to further cutbacks. Some examples of that are included in our brief. That's the first step.

1430

The second one: By removing class size standards that are enforceable in a collective agreement and putting into regulation or legislation class size averages that are really meaningless, that are unenforceable, it allows for class sizes to go up and lead to the cutting of other programs and narrowing of what's offered in a school at the same time just to try and keep that average somewhere where it is. That's what would essentially happen. Through the use

of non-certificate teachers, you would end up creating a two-tier pay scale for people in the classroom. All of those ways would certainly impact on the grants.

I think there are a number of other ways we have heard about as well. I wish we could see the funding formula to be able to see it. I think they're trying to promote the privatization of certain core programs like music, like the arts, by redefining them as non-essential programs. That could happen by regulation as well.

In each of these ways they reduce costs, but they are also reducing quality, narrowing the curriculum and making sure our public schools are not there to meet everybody's individual needs.

Mr Wildman: Last week the Minister of Finance — who will under Bill 160 have complete control over the mill rates and how much revenue is collected through taxation for education, to be centralized in his control — said the government probably didn't need to take \$1 billion out of education, which is the number that has been around since Mr Snobelen let it slip in a scrum first. We now know they perhaps aren't going to take \$1 billion out, it's only \$667 million, "So why are you guys mad?"

Mr Manners: It's \$667 million this year, and as I say, the funding formula will have an impact on a lot of other areas of the education system that this government doesn't define as classroom education, so there will be additional cuts in the future there. As well, once this legislation is passed there is nothing to stop, there are no checks and balances, whether they be school boards or teacher federations or parents or others, to hold back this government from making future cuts, and \$667 million is on top of \$1 billion that has already been cut out of education. How much more can you take out?

Mr Wildman: Isn't the only way you can save that money by laying off teachers? And 70% of —

The Chair: Thank you, Mr Wildman. We must move on.

Mr Newman: Good afternoon, gentlemen. Thank you for taking the time to appear before the committee today.

I'd like to turn to the subject of child and student safety in the event of an illegal walkout by teachers in this province. My question to you is, Mr Manners, as the president of the OSSTF, your union members, your union colleagues and the other affiliates: Will you commit today, not to me as a Conservative MPP but to the parents in our province, to the following: free access to all schools and day care centres in the province to children, parents, staff and volunteers —

Mr Wildman: Will you guarantee not to take \$667 million out of education?

Mr Newman: — a commitment to refrain from any form of harassment or intimidation —

Mr Wildman: If you'd do that, we wouldn't have a walkout.

The Chair: Mr Wildman, no one interrupted you.

Mr Manners: Mr Newman, you don't need to go on, because the Minister of Education made the same political statement earlier today.

Mr Newman: I'd like the opportunity to ask the question, Mr Manners. We sat here and listened today to your presentation. I'd like the opportunity to ask my questions of you. That's what public hearings are all about. A commitment to refrain from any form of harassment or intimidation of children, parents, staff and volunteers entering and leaving schools and day care centres; given the special legal and managerial responsibility of principals and vice-principals related to the supervision of students, a commitment that all principals and vice-principals will continue to report to work throughout the strike and will be given free access to schools, free of harassment, coercion or intimidation; and last, a commitment to designate a reasonable number of members of your bargaining unit to each school to assist with supervisory activities? Will you commit to that today, Mr Manners?

Mr Manners: First of all, I don't think civil disobedience is necessarily illegal and it will be decided by others, not you or your government, about the nature of this action. We are engaged in a protest action. It will be peaceful, you can be assured of that. There will be no children in jeopardy, or their safety, as long as the schools are closed and alternative arrangements for them are made if we have to take this action because you refuse to withdraw sections of Bill 160 that are totally undemocratic.

I would ask you to guarantee some of the items we proposed as part of our alternative, including releasing the funding formula, withdrawing certain aspects of this bill and working cooperatively with school boards, teachers and educational workers to ensure a smooth transition to district school boards and therefore deal with what Bill 160 purports to be about, and that is transition. You've gone far further than that in this legislation. You've misled the public about what the real intent of this legislation is. I say to you that this question is irrelevant to the discussion about Bill 160, which you have some power to withdraw in light of the massive opposition to the bill by parents, students, the general public, teachers and education workers.

Mr Newman: I'd now like to turn to a column that appeared in today's Globe and Mail by Jeffrey Simpson. I'm sure you're familiar with it. I'd like to read you a couple of paragraphs.

"For almost a decade, successive Ontario governments have been struggling to get that improved performance taxpayers deserve and students require. It has meant a series of bruising battles with the province's teachers' unions, which are not accustomed to losing and can bring mighty pressure to bear on public opinion.

"Full-page newspaper advertisements and organized demonstrations are part of the unions' arsenal. The government has an obligation to talk to the unions, but at the end of the day the government, and not the unions, is responsible for the system."

My question is, just who is responsible for the education system in Ontario? The duly elected members of the Legislature, or is it the teacher unions? Just whose responsibility is it to set policy in this province?

Mr Manners: That's another false dichotomy, and I know your government likes to use false dichotomies. It's a shared responsibility between parents, students, teachers, educational workers, school boards and the provincial government. We've never denied that there's a role for the provincial government in setting policies, determining funding, but there's also a legitimate role to be played by school boards that's historic, that's constitutional. Employees have a democratic right as well to have a say over their terms and conditions of employment, including practices and policies regarding educational development and improvement.

This bill takes all that shared decision-making away. It takes away over 100 years of constitutional history with respect to school boards, 25 years of bargaining with respect to teachers and it denies education workers, through other pieces of legislation, a say. It certainly does not ensure that communities have any control over the education system in the future.

This is not a debate between the government and teacher unions about control; it is a debate about shared decision-making and undemocratic, unilateral control by a provincial government that is mad drunk for power.

The Chair: Thank you for your presentation. Our 30 minutes is up.

1440

ROB MacDONALD

The Chair: Our next presenter will be Rob MacDonald. Welcome. Present 10 minutes. Please proceed.

Mr Rob MacDonald: First I'd like to thank the committee for giving me this time to speak. My name is Rob MacDonald, and I'm a small business owner in the Toronto area. More important, I have two young daughters who are going to be entering the education system. I assume that everybody here has the same intentions in mind, the teachers, the government and the parents, that Ontario has the best education system not only in Canada but around the world. I don't think we should settle for anything less. I think we've got the resources to be able to do that.

In listening to the debate between the teachers and the government over the last month over Bill 160, a couple of positions have really disturbed me. The first is that if the government does not scrap or drastically change this bill, then the teachers will illegally strike. I'm just shocked that the teachers would try to set this kind of example for our children.

Second, there is a newspaper article that was in the Markham Economist and Sun on October 11. This was put in by the teachers of Middlefield Collegiate: "The direct impact of lost preparation time will mean a longer school day and teachers will be forced to teach more classes." I ask the question, is this a bad thing? I don't understand how that could possibly be a negative. For me it seems like this is what we do need to improve our education system.

I have no axe to grind with teachers. My sister-in-law is a teacher — I probably won't be going to Thanksgiving next year. But I feel that the teachers have taken their eye off the ball. The teachers should be well compensated and they are well compensated, but they should also be ensuring that our children are receiving the best education, and study after study shows that Ontario students are slipping behind not only other countries but also other provinces. Obviously it's time for a change, and I feel Bill 160 is exactly what our education system needs. In reviewing Bill 160 and what I know of it, there seem to be a lot of commonsense initiatives. I hate to use that term, but it seems appropriate.

First, getting principals, vice-principals, department heads, guidance councillors, librarians — these are qualified teachers — back in the classroom teaching, even if it's for one class a day, it seems to me would allow us to keep our classes at an optimal level.

The big beef I keep hearing from teachers is less preparation time. It amazes me that a teacher who has been teaching the same subject for 10 years needs 25% of their day to prepare for a class, especially now when they are going to have curriculum-specific textbooks. To anybody in the real world who is out there trying to run a business, if I went to my client and said, "I'm going to charge you 25% more of my time," or use 25% more time to get a job done, "because I'm a professional," they would not understand that. I wouldn't be in business, and they wouldn't do business with me. The teachers have a job to do, and that is to teach our children.

The third point that seemed to make sense was auditing the school boards to ensure that the number of qualified teachers not involved directly in teaching do get teaching. The fact that we have to audit the school boards is a ringing endorsement of Bill 160.

The return of teachers to work five working days preceding the start of the school year should be mandatory, not an option. In this day and age I see no reason to have two months off in the summer, except in some rural areas. I understand with the farms and everything, that's fine, but 80% of this province is urban-based, and they should have no more than four weeks off in the summertime, if we're to stay competitive.

This bill, I understand, will regulate the school year, school terms, school holidays, examination days and professional activity days which now are regulated by individual boards, and they have inconsistencies right across the province, so hopefully this will structure that.

Fixing the minimum amount of time during which a teacher teaches classes is a positive initiative.

Assigning an Ontario education number to students so that we can track and properly measure the successes or failures of our education system is long overdue.

The teachers in Ontario keep saying they're professionals and they want to be treated as professionals, but over the last month, with their misinformation to the public, with their misinformation to their own membership, they're acting like a bunch of American Teamsters. They

have lost my respect and the respect of a lot of my colleagues.

When I hear that teachers would be willing to illegally strike and not work within the system, I think this is the worst kind of example that they could be showing our children. What are they saying? If you don't get your way, break the law. In fact, on the way down here, on CFRB —

Interjection.

Mr MacDonald: This isn't civil rights here; it's something else altogether. Come on.

They had some kids on CFRB, and they were talking about the school year. "What do you think about the teachers? Should they go out on strike?" "They're not getting what they want, so yes, they should illegally strike." That's a great example to show them how to work within the system. We're electing a government to do a job, and they're doing it.

I cannot understand why Ontario students get short-changed by up to 20 days compared to their counterparts in other provinces.

The Toronto Star reported on the weekend that two groups, the East End Parents Network and People for Education, were upset over Bill 160 and how much power it would give to the education minister. My question to these groups is, who is running the schools? Is it the teachers or is it the government? That's the people.

This is what Bill 160 has come down to: the question, who is running the education system? If you were working for Frank Stronach at Magna International and he came up with a new way of faxing something, you would either fax it that way or you would get a new job. If the teachers walk out illegally in protest of this bill, they are then saying they are running the education system. This is a sad example for our children to see. If these teachers feel that Bill 160 would be too much of a burden, then I respectfully suggest that they find another profession and let the many teachers who want to teach have their jobs.

The bottom line is the teachers have to do what the rest of the private and public sector employees have had to do over the last 10 years to remain competitive. I implore the government not to cave in to the teachers' pressures and make Bill 160 law. If the teachers look deep down inside, it is not the best interests of the students that they have in mind but their own selfish agenda. I appreciate the time.

The Chair: We have time for questions, one minute per caucus.

Mr Wildman: I apologize for interrupting before and thank you for your presentation.

You made one comment that if a teacher has been teaching the same subject for 10 years, he shouldn't need preparation time, and it reminded me of a story at university level of a very well known and respected elderly professor who used to come in and lecture — of course they don't teach at universities; they lecture. He used to come in and everyone knew that he liked people simply to regurgitate what he had to say back in the exam, so everyone took copious notes except for one young chap, and after about three weeks the professor looked at him and said, "Mr Smith, are you not interested in what I have to

say?" The young man said, "Oh, yes, I'm very interested." He said: "Why aren't you taking notes? All of your colleagues are taking notes." He said: "Oh, I don't have to, sir. I have my father's notes."

That's the problem. If you have someone who teaches the same way for 10 years on the same subject area, that individual probably is not a very good teacher and not very good pedagogy is taking place. You have to initiate, you have to innovate and you have to continually change, and that is what teachers use preparation time for. It's not simply to look at their old notes.

The Chair: Thank you, Mr Wildman. We must move on.

Mr Froese: We have heard from a lot of parents who are in favour of the bill, and I guess I would like to get your opinion about a role clarification. I mentioned it before to some of the other presenters. I'd just like to get your opinion. It's from the St Catharines Standard — my riding is St Catharines-Brock. It's an editorial, and I will paraphrase a little bit because we don't have time to read it all, but the role clarification that they would suggest, the model where there is — I know people have problems, because I guess it's related to business; these are not my words; they are the editorial words, but —

The Chair: Excuse me, Mr Froese. You have used your one minute. I'm sorry about that.

Mrs McLeod: I'm sorry I missed the first part of your presentation, but I was struck as I was coming in with your obvious support of very strong, top-down, let-the-boss-call-the-shots approach to managing education. It hasn't been the traditional approach in education where we have, as you may have heard me say earlier, put some premium on a balance of responsibility for education.

I don't think it's a particularly successful approach in business either, which I assume is the basis on which you're recommending it. Some of the most successful companies are successful because they have put a very high premium on their employees and see their employees as assets. I wonder if you'd comment on how you think it helps education for the government to make enemies of those teachers.

Mr MacDonald: I don't suggest that they make enemies of the teachers. It just seems to me that we don't have the same balance in Ontario that we have in the other provinces. They have already made some of the moves that are in Bill 160. Why are we dragging our heels here? I don't hear anything positive from the teachers. All I hear is, "If you don't scrap it, we're going to strike." I don't hear any positive feedback from them, so I guess after a time, the government has got to say, just like a corporation would have to say, "Look, this is the way it's going to be, and we'll take it from there."

The Chair: Thank you very much, Mr MacDonald, for your presentation. Our time is at an end.

1450

ONTARIO CHAMBER OF COMMERCE

The Chair: Our next presenter will be the Ontario Chamber of Commerce, Mr Ian Cunningham, director of policy. Welcome, Mr Cunningham. I would ask you to proceed.

Mr Ian Cunningham: Good afternoon, Mr Chairman, ladies and gentlemen, and thank you for this opportunity to appear this afternoon.

As members of this committee well know, the Ontario Chamber of Commerce is the voice of business in the province of Ontario, representing more than 60,000 employers through our more than 180 affiliated local chambers of commerce and boards of trade. Our membership includes firms of all sizes, small, medium and large-sized firms, located in every region of the province and operating in every economic sector.

Committee members should be aware that the Ontario Chamber of Commerce has been an active participant in efforts to improve the education system for a long period of time. I should also point out that our education committee has been particularly active in this regard. We welcome the opportunity to appear before your committee to offer a few thoughts on Bill 160.

The quality of Ontario's school system has been the subject of a great deal of debate over the last six months or more. Some recent indicators are the recent TIMSS test, which was a test of grades 4 and 8 in mathematics and science, and on the written portion of that test, Ontario students performed only at the Canadian average, which I think most of us would agree is not really a satisfactory outcome. However, on the practical portion, the Ontario students performed above the international average, which is an excellent outcome.

In the 1994 international adult literacy survey, Ontario youth aged 16 to 25 were lumped in with New Brunswick, Newfoundland and PEI one year below the national average, which is not a particularly satisfactory outcome. I think we can all agree, however, that we can do better in Ontario and that we can achieve better learning outcomes, and that we can do so in a cost-effective manner.

Ontario has some wonderful teachers, and as a profession they're probably no different than other professions, like doctors, lawyers, engineers and even politicians. There are many truly outstanding ones — my own children have experienced some really outstanding teachers in our school system — there are some very poor ones, and there are teachers who fall everywhere in between.

While the process of education reform must not be reduced to teacher-bashing, the sense of entitlement that's being reflected in some of the comments of teacher union leaders in the media astounds very many people. Teachers cannot avoid being the subject of the economic, political and social change that has swept most of the industrial world. The status quo is just not on.

The focus of education reform must be on improved learning outcomes. Employers demand graduates with

proficient literacy and numeracy skills, a sound knowledge base, critical thinking and an appreciation of culture which will enable them to be successful in post-secondary education, in further training, in employment and in life.

Let me touch on some of the provisions of the bill. First, the bill would allow the minister to set class size. We concur that class size is a factor for student success and should be a common standard, not the subject of local collective bargaining. However, a future minister not so committed to education quality but more focused on cost-cutting might choose to increase class size. Therefore, we would recommend a process involving open consultations whenever an increase in class size is proposed.

With regard to the use of non-certified specialists as teachers, we believe the system could be enhanced by allowing artists, musicians, computer programmers and human resources experts to bring their special knowledge to the classroom. However, they must have a sound knowledge base in their subject area, possess proven communication and teaching skills and have effective class management capabilities.

We are also concerned with teacher PA days. It's critical that our teachers are current and up to date, particularly in the more applied areas of the curriculum. Therefore, a reasonable regimen of PA days should be retained, with the majority scheduled during school breaks.

We also concur with the notion that the province should have the power to set the standard for instructional time. However, as with class size, we believe this standard should be set only following open consultation with stakeholders.

On the matter of funding, the business community has lost faith in local school boards, which have allowed education property taxes to increase far beyond the growth of the system, which have not proven to be effective in their collective bargaining activities and which have in many cases constructed elaborate head office facilities to serve board management and trustees.

However, we have serious concerns about the provisions of the bill which give the finance minister the authority to set the provincial property tax without open debate in the Legislature. We feel this matter should be subject to debate. Under the previous system, citizens had the ability to appear before the local boards to demand no increase in education taxes.

The objective that students across the province have access to the same high-quality education system regardless of where they live is a commendable objective. However, the special needs of Metro Toronto, with its large concentration of ESL students, and northern Ontario, with its expansive boards, must be taken into account.

With regard to collective bargaining, we concur with the abolition of Bill 100 and bargaining under the OLRA.

Finally, as employers we are confounded by the threats of union leaders to conduct an illegal strike. This action only serves to demean their professional status, sending a message to students and society that it's okay to break the law.

Ontario and its economy must not be held hostage by the teachers' unions. We would encourage the government to take strong, swift action to deal with this illegal strike.

Thank you very much for this opportunity to appear this afternoon. If there's time, I'd be pleased to take questions.

The Chair: We only have about 30 seconds per caucus for questions.

Mr Smith: Thank you for your presentation today. It was interesting that you made the distinction between entitlement and quality. It's quality that I want to ask you a brief question about. In the opinion of the Ontario Chamber of Commerce, is there anything in Bill 160 that would compromise the quality of education in this province?

Mr Cunningham: Yes, I think in a very general way the bill is focused on improving quality. Quality is paramount. In our view, cost and efficiency are secondary, and while we believe we can produce much better learning outcomes, we also think there is room for efficiency. I would say in general the focus of the bill is on improved learning outcomes.

Mrs McLeod: Thank you very much. I appreciated particularly you recognizing that there are different ways of seeing those international tests. Just for the record, the two parts you touched on in terms of actually improving quality of education, the length of the school year and the minimum number of days of instruction versus PA days, are now under the minister's control without Bill 160, and class size of course can only be regulated by funding and providing enough resources.

Just quickly on the taxation issue that you raised, is the fact that taxation power is now not only being taken by the provincial government to tax property for education but also will be held by cabinet, there will be no legislative bill required, an issue that concerns the chamber?

Mr Cunningham: It's a concern for sure. We would like to see a more open process.

Mr Wildman: I appreciate that response and, frankly, your reasoned and balanced presentation.

Since we're so short of time, just in terms of one comment you made about the non-certified so-called experts who might be brought into the classroom, you qualified that by saying they had to have proven communication skills, teaching ability and so on. How do you think that might be measured, as opposed to the certification process that supposedly or hopefully measures it for teachers?

Mr Cunningham: I'm not convinced that the certification process for certifying teachers meets those criteria, and I would suggest that particularly new teachers and in fact probably many old teachers —

Mr Wildman: Senior.

Mr Cunningham: Yes, mature, senior teachers; I think teachers invented the word "burnout" — could use refreshers on how to teach, probably by looking back at one's work history, references and that kind of thing. I'm not convinced that every teacher in our system is an excellent teacher, a good communicator and would meet all the criteria for teaching and communication and classroom management that we would like to see.

The Chair: Thank you very much, Mr Cunningham, for assisting the committee here today.

1500

ONTARIO PUBLIC SERVICE EMPLOYEES UNION

The Chair: Our next presentation will be the Ontario Public Service Employees Union, Ms Leah Casselman. I'd ask you to proceed.

Ms Leah Casselman: I'm Leah Casselman, president of the Ontario Public Service Employees Union.

Bill 160 is not designed to improve public education in Ontario. Like previous Tory initiatives, its goal is to weaken our public services until they lose what remains of their public legitimacy. Ratcheting down public expectations is the first step in the Tory plan to privatize our public services. The Common Sense Revolution is really about creating opportunities for businesses, private sector parasites who can't make it in the real marketplace and who want to run our services for their profit.

We are here today for a number of reasons. First, we represent 3,500 workers in the education sector who will be hurt by these proposed changes; second, as a member of the common front, we stand in solidarity with Ontario's teachers; and finally, we are here as citizens, as parents, as students and as individuals concerned about the long-term effects of an underfunded education system.

These are some of the specific effects of this proposed legislation:

(1) It makes it easier for the Tories to take money out of the province's education system to help pay for their tax breaks for the wealthy.

(2) It reduces the number of teachers in Ontario.

(3) It allows school boards to replace professional teachers with underqualified and non-union workers.

(4) It further reduces wages for public sector workers.

(5) It forces school boards to look favourably at contracting out.

(6) It strips teachers of their past victories. By legislative fiat, the bill removes previously negotiated rules about hours of work.

In a nutshell, this bill is designed to reduce the quality of our public education system, not improve it. Others will give you more detail on these concerns, but in my brief time before you I want to focus on this bill's specific impact on OPSEU's own members.

As I said, we represent 3,500 people working in the elementary and secondary school systems across Ontario. More than 1,500 of these workers are occasional or substitute teachers; the other 2,000 are teaching assistants, education professionals, office and clerical staff and service employees.

Bill 160 steals occasional teachers', substitute teachers' right to choose their own union. Bill 160 says that substitute teachers will become members of teachers' bargaining units in the second collective agreement following December 31, 1997. Since the first collective

agreement must have a minimum term of two years, occasional teachers would switch to teachers' bargaining units in 2000 or later. We oppose this. The substitute teachers we represent are with us of their own free will. The only way that our substitute teachers should be forced to change their chosen bargaining agent is through a democratic vote. This is how the labour relations system is supposed to work.

We have been able to meet the needs of our substitute teacher members by giving them excellent representation. Substitute teachers have made it perfectly clear that they wish to remain in OPSEU. Am I keeping you up? Good. The substitute teachers we represent don't want to lose the advantages of OPSEU membership. The idea that they can be assigned to another union with no say runs counter to even the amended Bill 136, which guarantees workers a vote where more than one union has representation rights. It certainly flies in the face of labour relations practices.

Substitute teachers replacing teachers on leave for up to two years: Subsection 4(1.1), on page 12 of Bill 160, redefines substitute teaching to permit the use of substitute teachers to replace an absent teacher for a temporary period which "shall not extend past the end of the second school year." That's up to two school years.

While this may look good for substitute teachers, we see it as simply another way to cut permanent teaching jobs and teaching costs. If occasional teachers are working as permanent teachers, then they should be permanent teachers or, at a minimum, receive the benefits of being a permanent teacher.

The effects of a longer school year: We represent the interests of all of our members in ensuring that they receive a fair day's wage for a fair day's work. If this government makes any regulatory change to lengthen the school year, we will work to ensure that our members are compensated accordingly.

Teachers versus non-teachers: Clause 170.1(3)(e) allows the government to designate positions that are not teaching positions and prescribe the minimum qualifications for these positions. We view this as an attempt to reduce the size and influence of the teachers' unions and reduce the wages of the people performing these jobs. We will try to organize these people as will other unions. We will not stand idly by and watch as their wages are slashed and their rights taken away.

I'd like now to return to our more general critique of Bill 160. In 1995-96 five Canadian provinces and territories and 40 American states spent more money per pupil on education than Ontario. Compared to Canadian and US jurisdictions, Ontario ranks 46th. Yet Ontario, with its increasingly diverse population and large number of recent immigrants, faces unique educational challenges.

It is not acceptable to starve the education system. Even Ernie Eves, in a recent Toronto Star article, wrote, "The greatest strength of our economy is our highly skilled and educated labour force." It is high time the Minister of Finance put his money where his pencil is.

We face a choice. We can maintain an education system that ranks in the bottom quarter of Canada/US jurisdictions or we can invest in our future prosperity. We would think that this government, with its focus on business and economic growth, would understand the direct relationship between education spending and the economy and act accordingly.

Privatization and contracting out allow government and school boards to cut salaries, eliminate benefits and break unions. They reduce the quality of service, increase complaints and do not result in savings. In summary, they are more about politics, the right-wing agenda of this government, than about economic common sense.

It is clear from Bill 160 that the government wants to reduce the wages of workers in the education sector. Whether through decertifying teachers, reducing education expenditures or encouraging privatization and contracting out, this government is punishing education workers. It is doing this even though their wage increases, if any, have lagged behind inflation and wage increases for private sector workers.

OPSEU represents 100,000 members in the public sector, 3,500 working for school boards. They are fed up with being made scapegoats for the government's lack of leadership.

In conclusion, we in OPSEU have seen this show before: our Ontario public service strike, Bill 7, Bill 26, Bill 103, Bill 104, Bill 136, Bill 142, Bill 152 and now Bill 160. This is just another in a long list of attacks on public sector workers and on labour relations in general.

The teachers aren't going to take this any more, and neither are we. The government must learn that the citizens of this province have had enough. People do not believe the provincial government any more, and they are not going to sit quietly by while it destroys the province and the education system. Thank you very much.

The Chair: Thank you. There's really no time for questions. You have about 30 seconds more. Is there anything you wish to add?

Ms Casselman: I just thought I'd brighten your day, since I realized the committee hearings have been stacked with people you really want to hear from. I was really pleased that I was able to be here and keep you awake for this afternoon. It was my pleasure to provide that stimulation for you.

The Chair: We certainly appreciate having you here. Thank you very much for your presentation.

Report continues in volume B.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)

Mr Bruce Crozier (Essex South / -Sud L)

Mr Jim Flaherty (Durham Centre / -Centre PC)

Mr Garry J. Guzzo (Ottawa-Rideau PC)

Mr Peter Kormos (Welland-Thorold ND)

Mr Gerry Martiniuk (Cambridge PC)

Mr David Ramsay (Timiskaming L)

Mr E.J. Douglas Rollins (Quinte PC)

Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Jim Brown (Scarborough West / -Ouest PC)

Mr Tom Froese (St Catharines-Brock PC)

Mrs Lyn McLeod (Fort William L)

Mr Dan Newman (Scarborough Centre / -Centre PC)

Mr Gerry Phillips (Scarborough-Agincourt L)

Mr Mario Sergio (Yorkview L)

Mr Bruce Smith (Middlesex PC)

Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Ms Frances Lankin (Beaches-Woodbine ND)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Mr Andrew McNaught, research officer, Legislative Research Service

CONTENTS

Tuesday 21 October 1997

Education Quality Improvement Act, Bill 160, <i>Mr Snobelen</i> /	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, <i>M. Snobelen</i>	J-2437
Federation of Women Teachers' Associations of Ontario	J-2437
Ms Maret Sadem-Thompson	
Ms Florence Keillor	
Ontario Teachers' Federation.....	J-2441
Ms Ruth Baumann	
Ontario Christian Home Educators' Connection	J-2446
Mrs Colleen Takahashi	
Mr Jake Zwart	
Ontario Public School Teachers' Federation	J-2450
Ms Phyllis Benedict	
Metro Parent Network	J-2455
Ms Kathleen Wynne	
Mr Gord Garland	
Mrs Nancy Wagner.....	J-2459
Robert Service Senior Public School Parents Advisory Council	J-2461
Ms Deborah Anne Rinneard-Knapp	
Ontario Education Alliance, York Region.....	J-2463
Mrs Cyndie Jacobs	
Ms Jean Davies	
Mr Steve Bull	
Ontario Federation of Teaching Parents.....	J-2466
Mr Albert Lubberts	
Ontario Coalition for Education Reform.....	J-2470
Ms Maureen Somers	
Mr Brian Oxley	
Mr David Hogg	
Ontario Secondary School Teachers' Federation	J-2474
Mr Earl Manners	
Mr Rob MacDonald.....	J-2479
Ontario Chamber of Commerce.....	J-2480
Mr Ian Cunningham	
Ontario Public Service Employees Union	J-2482
Ms Leah Casselman	

CA 206
109
-577



J-75B

J-75B

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Tuesday 21 October 1997

Journal des débats (Hansard)

Mardi 21 octobre 1997

**Standing committee on
administration of justice**

**Education Quality
Improvement Act, 1997**

**Comité permanent de
l'administration de la justice**

**Loi de 1997 sur l'amélioration
de la qualité de l'éducation**

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICECOMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Tuesday 21 October 1997

Mardi 21 octobre 1997

Report continued from volume A.

1510

EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

DOMINION INSTITUTE

The Chair: Our next presentation will be the Dominion Institute. Please proceed.

Mr Rudyard Griffiths: I'd like to thank everyone for the opportunity to address you today. For those of you who do not know me, I'm appearing today as director of the Dominion Institute. To provide my remarks with some context, I'll begin by saying a few words about the institute, its mission and interest in Bill 160.

The institute was founded in February of this year by a group of young Canadians concerned about our growing sense of civic disillusionment and its effect on informed public debate and the existence of a strong and inclusive national identity.

The Dominion Institute's mission is to encourage civic responsibility and informed public debate by educating the general public, opinion makers and especially young Canadians about Canada's history and civic traditions.

The practical work of the institute consists of conducting original research into Canadians' knowledge of the country's past and building programs that assist Canadians in rediscovering links between their history and common identity today. The institute is currently

supported by a generous grant from the Toronto-based Donner Canadian Foundation.

The institute obviously has a special interest in education and its connection to the basic goals of fostering national belonging, informed debate and active citizenship. Considering the institute's mandate, my remarks today will be contained to the impact of Bill 160 on education in the classroom, and not on the much-discussed effects of the bill surrounding educational finance and labour issues. These are not my areas of expertise.

The debate that has raged around Bill 160 has been nothing less than cacophonous, some might say to the point of incoherence. Yet I would argue that beneath the all armchair punditry and public mudslinging there is a consensus that the status quo is not enough. We at the institute agree. We also think anyone would be hard pressed to claim that our education system is a ringing success.

We have all heard about Ontario students' middling performance on national math and science tests. Let me share with the committee some of the institute's research into young Ontarians' knowledge of history and social studies, an area of inquiry that has been woefully neglected.

Last Canada Day, the institute released a national survey that examined what 18- to 25-year-olds know about their nation's past. The results were carried on front pages of the Southam chain of newspapers and on television and radio across the country. The comments of your colleague John Hastings in connection to the survey graced the pages of the Washington Post and the Christian Science Monitor.

The findings of the survey were alarming and embarrassing, to say the least. The average score of youth on 30 basic questions covering political, cultural and economic and military history was a dismal 34%. Of a series of questions that touched on national unity, only 6% of Ontario youth were familiar with the Quiet Revolution. More young Ontarians thought Neil Armstrong, not Marc Garneau, was the first Canadian in space. When asked to give the date of Confederation, only 38% could name 1867; another third could not even give the century in which Confederation occurred. A disappointing 38% knew that battle of Vimy Ridge occurred in the First World War, an event that many have argued was crucible of the modern Canadian identity. Lastly, more Ontarian youth thought Norman Rockwell, rather than Robert Service, was Canadian.

Considering these results, I feel that it's not a stretch to argue that Ontario's school systems have failed to impart to our youth a basic understanding of the country's past. More worrying still, it seems that much of Ontario's youth lacks the knowledge to participate in society as informed citizens, the basic goal of any education system.

If you don't know about the Quiet Revolution, if you don't know how long the country has existed, if you're unfamiliar with seminal events like Vimy Ridge, it becomes next to impossible to understand the facts and issues at stake in important national debates like unity.

In sum, the institute's survey shows that our education system is creating a knowledge gap in the minds of youth today that may ultimately imperil the practice of consensual participatory democracy in Canada.

Against the backdrop of the kinds of results I've just cited and those provided by national math and science studies, let me provide the committee now with our analysis of Bill 160. We think the litmus test for Bill 160 should be the following: Does the act hinder or assist the implementation of the kind of goal-oriented and content-specific curriculum that Ontario's students desperately require and deserve?

We believe that Bill 160 does further the development of a learning environment sympathetic to the much-needed curriculum reforms that have been implemented and those that are still to come. Let me back up this assertion by making reference to a few of the bill's provisions, first the much-discussed and disputed issue of class size.

By giving the government power to set the size of classes, the bill provides Ontario's elected representatives with an important tool to create a better learning environment in the province's classrooms. Smaller classes are something that parents have demanded and many teachers have championed, but it is a reform that has failed to happen. Smaller classes will undoubtedly be an important strategic asset when it comes to implementing the needed curriculum reforms, and institutional entropy is something Ontario's students should not have to suffer.

Turning to the equally discussed issue of preparation time for teachers, it is my understanding that cuts in preparation time are being undertaken to allow teachers to spend more time in the classroom. This bill, if enacted, would see teachers spend seven out of eight periods rather than six out of eight per day, again, as many people have commented, putting Ontario in line with national averages. I have a concern, though, that cutting prep time before introducing curriculum reform may slow the transition from the Common Curriculum to the much-needed new guidelines.

I would recommend that the government consider phasing in the reduction of prep time over a stated period. Once the curriculum reforms are introduced, though, their focus on providing teachers with concrete content guidelines should reduce the need for the current surplus of preparation time.

Concerning the total time students spend in school over the course of the educational year, I believe the government should be commended for its intention to extend the

school year by two weeks in the primary system and by three weeks in the secondary system. These changes can but increase the performance of Ontario youth on national tests and surveys like the one we commissioned. I do not think it's a coincidence that Alberta youth scored the highest on our survey, considering that they receive almost 1,000 hours of instruction per year versus the 800 in Ontario.

Why should Ontarians care about the interconnections between Bill 160 and implementation of new curriculum guidelines in the classroom? I believe it's because we desperately need an effective curriculum in the classroom and not just on the desks of officials of the Ministry of Education and Training, the fate all too often of new curriculum reforms proposed in this province.

Let me provide the committee with two obvious but often ignored reasons for creating an environment favourable for the implementation of rigorous curricula, an environment that I believe Bill 160 takes a large step towards making a reality.

First, rigorous curriculum that sets out specific content guidelines make for a fairer and more just society. The fact is that disadvantaged students have high school mobility rates. According to some surveys, up to 40% a year of disadvantaged students migrate from one school board to another. When their parents are forced to move in search of work, disadvantaged students find themselves in classrooms where they're confronted with a entirely new interpretation of the curriculum that forces them to either redo work they've already completed or start a program of study they're entirely unfamiliar with. The lack of a content-specific curriculum in the classrooms creates a knowledge gap between disadvantaged and privileged students that directly affects their life prospects through no fault of their own. As a matter of social justice, the government needs every tool at its disposal to successfully implement content-specific curriculum. These tools necessarily include more class time, a longer school year and smaller class sizes.

The second reason for endorsing the proposed changes contained in Bill 160 has do with the desperate need for more cultural capital in Ontario's classrooms, a need clearly identified by our study. What do I mean by cultural capital? To read a newspaper or understand a political issue, students require the factual knowledge shared by the rest of society. Numerous studies have shown that the single greatest factor in a student's performance at school is his or her learning environment at home.

If our schools fail to live up to their responsibility of imparting factual knowledge to students, we all run the risk of becoming passive accomplices in perpetuating social differences and impeding the concepts and reality of active and articulate citizenship. Again, smaller classes, more teaching time and a longer school year will enhance our education system's ability to foster cultural capital in the schools.

1520

Let me make a warning, though, to proponents of Bill 160. This bill's effect on the education system in terms of

generating higher test scores, which seems to be an all-encompassing obsession today, will be next to nothing if the government does not introduce rigorous, content-specific curriculums.

The curriculum framework for grades 1 to 9 was a step in the right direction. We thought there should have been more content guidelines in that document, and we look forward to working with the ministry to ensure this happens in the upcoming secondary school curriculum framework.

For the reasons I've just mentioned above and a host of others, Ontario will benefit from Bill 160. Its potential to have a positive effect on class size, in-class instruction time and total hours of instruction ultimately furthers our collective ability to create a socially just and content-rich education system.

Let me conclude by quoting the Prime Minister of Canada's September 24 reply to the speech from the throne, where he made extensive reference to our survey. The Prime Minister stated: "I was very troubled to read a survey this summer that suggested that young Canadians knew too little about each other and what we have done together. Too often we forget, or do not know, what we have accomplished. We must find ways for young Canadians to learn what they share, to know what we have done, and to gain pride in the nation's past."

I want to thank the committee for the opportunity to share the institute's views with you, and I hope my remarks have been helpful in some small way. Thank you. If there are any questions, I'd be happy to take them.

The Chair: Thank you very much, Mr Griffiths. We have approximately five minutes per caucus, and we start with Ms McLeod.

Mrs McLeod: Thank you very much. I do have an understanding of how you made it to the coveted minister's list. I want to ask you, particularly given the institute's focus on society's declining sense of civic responsibility, how you feel about what I consider to be a subversion of the normal process of having citizen representation in the public hearing process, in the sense of the minister having presented a rather exclusive list, with some thousand people who had called and asked to present to this committee effectively being shut out of the process as a result of that.

Mr Griffiths: That's what they call a loaded question, but I'll —

Mrs McLeod: It is. I think it's fair, though.

Mr Griffiths: Indeed it is fair. Our interest in civic responsibility is really its interconnections with history, not government procedure. I'm not an expert in government procedure, nor am I particularly familiar with the minutiae of the details that were made around the organization of these hearings, so I don't really feel confident in answering that question. I'm going to disappoint you. Sorry.

Mrs McLeod: That's also fair, but some of us are so concerned about what we see as being an erosion of the democratic process as well as the opportunities for civic involvement that an institute that professes to be con-

cerned about declining civic responsibility might want to begin to address it from — I'm not suggesting a partisan political aspect. I think you might serve a very useful purpose in commenting on it from a non-partisan perspective.

I'm not sure if this stretches the institute's interests too far. It certainly has some historical interest. In commenting on a previous piece of education legislation, Bill 104, Justice Archie Campbell referred to one of the clauses in that particular bill as being the Henry VIII clause, because it gave power to cabinet to override through regulation its own act. He said this is called the Henry VIII clause in legal jurisdictions because it's the kind of power that only absolute monarchs used to hold.

Bill 160 has shocked some of us in terms of the sheer responsibility given not to the elected majority of government but to cabinet. There are some 186 areas in which the Lieutenant Governor can act by regulation, including at least one area in which there is power to override not only the act itself but any other act of the Legislature through regulation.

Is that an area of concern, in terms of the erosion of democracy, that the institute will address?

Mr Griffiths: No, I think our interest and focus right now is primarily on the individual's relationship or responsibility to the renewal of Canada's democratic traditions. If you could find a funder who would be willing to underwrite the cost of study for us into the more procedural matters you outlined, I'd be happy to undertake that.

Mrs McLeod: Let me push it a little further, since we have the luxury of five minutes, which is very rare. Again I want to push you on the civic responsibility, which you say the institute is interested in addressing. We have school boards which are about to be elected within the next couple of weeks in what has been a normal process, except that the school boards will no longer hold any real accountability for the expenditure of funds, for the levying of funds. They will have no taxation power. The government will hold that, take the taxation power exclusively. In fact, because that kind of power is being held largely in the hands of cabinet, those members who are elected provincially are essentially being disfranchised. Does this not disfranchise and discourage the average citizen from becoming involved in the process of government?

Mr Griffiths: I think some of the debate around this bill is healthy in so far as the people are picking up their papers and reading about the history of education reform in this province. Indeed there are maybe particular issues of concern in terms of Canada's democratic traditions, but again, I'm not an expert in that area. My particular interest is in curriculum and the role of curriculum in fostering informed citizenship.

Mrs McLeod: Which of course is not addressed in Bill 160, the role of curriculum.

Mr Griffiths: It's not addressed, but I think there are the tools in 160, a toolkit there that does provide an environment or schemata for the implementation of important curriculum reform. I'll reiterate for the

proponents of Bill 160 that if they think they're going to get higher test scores just because of procedural changes, they're not going to get them. They have to introduce the right kind of curriculum.

We participated partially in consultations about the curriculum framework from 1 to 9. We were happy with the direction of it. I don't think we were overjoyed about what was finally in there. We look forward to working on the next round of curriculum revisions, and we'll be speaking our mind quite frankly about what appears at the end of that process.

I'm not hearing this in the realm of public commentary, where people are drawing connections between this bill, curriculum and higher test scores. This bill alone will not get you higher test scores.

Ms Lankin: Thank you for your presentation. I'd like to continue in that vein and ask you to begin by explaining to me the tools that you see are available here that are going to help us implement a better curriculum.

Mr Griffiths: Implementing a better curriculum is a real challenge. When we had the Common Curriculum that was suggested, it really didn't trickle down into the individual school boards. It was a resource document that I think pretty much stayed on the desks of bureaucrats in the Ministry of Education. We have to think in terms of, what is the right kind of environment for enacting these curriculum changes? I would be hard pressed to make an argument that less in-class time is something that would have a positive effect on an implementation process.

Ms Lankin: Can I ask you a question about specifically that issue and the class-size issue? You referred to both of them in your presentation. You said on class size that for years people have been talking about getting smaller class sizes and it hasn't happened. In fact, historically there has been over the years a substantial reduction in class size through the processes of discussions between boards and teachers. The increase in class sizes that we've seen of late, through the previous two governments and this government, has been as a result of restraint on funding.

In that context, we now have a bill which says in the long title that it's something to limit class sizes. Yet there is no maximum class size set out in the bill. There is no number set out in the bill. It doesn't indicate whether it's going to limit or increase, and that surely will become a function of the funding in place to support class sizes, the number of teachers who are there.

We have today documentation that in the next budget year the government intends to cut \$667 million. They've been keeping it a secret from us, but now we have that information. How do you see this bill providing a tool to limit class size and improve the delivery of a new curriculum in that context? I fail to see how that's possible.

1530

Mr Griffiths: My hope is that the government will see those interconnections between smaller class size, better quality of education and higher test scores. That may be a leap of faith on my part, but I feel our institute's

discussions with the ministry have been in good faith up until this point. We'll continue to operate within that framework until something changes.

Ms Lankin: That's interesting, because that comes back to the whole concept of civic responsibility. As an organization that is very involved and focused on that, it seems to me that it shouldn't have to be a leap of faith on some key critical areas where people are engaged and involved actively in commenting on and contributing to reform of a system as important as our education system. In fact, these discussions about quality education should be debating what an appropriate class size is with expert testimony on that, as opposed to setting up a framework in which civic participation becomes a thing of the past and in which three cabinet ministers sign a document, an order in council, and it can be changed based on political priorities or funding priorities — and not just by this government, in which you may have some faith, but by other governments that you may not have faith in.

That's the thrust of those who have criticisms about the bill, beyond the concern that it is to mask further cuts in funding. Increased civic responsibility must provide a role for participation by the public, and we have seen in so many bills from this government a direction in the exact opposite way, that takes power into executive council. That's not even the elected assembly debating it; it's into the back rooms. Does that not raise a general concern outside the specifics of the bill?

Mr Griffiths: Again, I'm not an expert in governance-related issues, but as I understand it, the new councils will have a representative function, so there will be different conduits for participation and input by parents into the educational processes their children experience in the classrooms. They're lofty issues we're talking about here, parliamentary supremacy versus —

Ms Lankin: Actually, they're not. That's the problem. They're kind of right down to the classroom: how many kids are going to be there, who's going to be teaching them, whether they're a teacher or not, whether they have the ability in outside-classroom time to have one-on-one contact with teachers. That's what it's really all about, when looming behind it is taking out \$677 million.

While I appreciate your general concern around the quality of curriculum — I appreciate your report on the study you did, and I'd love to get a copy of that. I think those are really important issues and I'm glad you're looking at them, but in terms of the context of commenting on this specific bill, we've got to get down to what it's going to mean in the classroom over the course of the next year. It's not, in any way that I can see, going to contribute to improving the quality, which I think is your goal and which we should all agree on. It's the specifics of the bill that have me really concerned.

Mr Froese: Thank you very much for coming.

Just as an aside, I know your expertise isn't in the school trustee formulation. Mrs McLeod said that because of the trustee role, a lot of people didn't want to get involved in running as trustees. To set the record straight, of the 627 positions available, there are only four trustee

positions where there are no candidates running. We do have a lot of people who are interested and concerned and want to put their names forward and be involved.

I appreciate your comments with respect to curriculum. As you know, historically — you put it well — there has been a lot of debate about changes that have to be made in curriculum. As you correctly said, we've done some of that already in math and language. I appreciate your comments with respect to history, where our results are less than satisfactory in testing.

You talked about preparation time. I'd like to get a little more input from you. You're probably one of the few who are really giving us positive suggestions on what changes we need to make in Bill 160 or any of our education reform.

In the curriculum area you talked about the preparation and more teaching time, and you felt — I may have it wrong, and you can correct me — that if we're going to change any part of that, you would like that in conjunction with the new curriculum rather than before or after.

Mr Griffiths: I think there is a case to be made that introducing new curriculum puts additional burdens on teachers in terms of the implementation of that curriculum. There may be — this is simply an idea — an approach of phasing in reductions in preparation time to correspond with the introduction of the new curriculum, so that at the beginning of that new curriculum you're keeping preparation time levels at about what they are now and then coming to some mutually agreeable reduction in that time over a stated period.

But once the new curriculum is in place, if it is indeed content-specific — and that means setting out grade by grade what students are required to learn, and ideally, what kind of different text they should learn from — that will take some of the burden away from teachers, because it will give them a powerful resource to find out what they're responsible for teaching in the class. It will, in as fair a way as possible, reduce some of the current surplus, if indeed it is a surplus.

Mr E.J. Douglas Rollins (Quinte): Thanks for your presentation. One of the other things that I would like to ask you about that you didn't touch on very much is the taxation. With a great differential between the have-not boards and the have boards in the moneys being spent — I happen to come from one of the areas in the province where our board is spending about \$5,400 per student. Do you feel that the new taxation method we're involved in, with about half being from the province, as far as the tax base is concerned, and roughly half from the property tax base, is an improvement in the right direction? Have you got some thoughts on that?

Mr Griffiths: Again, I'm afraid I'm not going to be able to help you there. I'm not an expert in tax issues. It was hard enough for me to get through the legalese of the bill on the sections that are pertinent to our mandate, so I'm afraid I'm not going to be able to help you on that point.

The Chair: Our time is up. Mr Griffiths, thank you very much for a most learned dissertation on the subject.

1540

ONTARIO SECONDARY SCHOOL STUDENTS' ASSOCIATION

The Chair: Our next presenters are the Ontario Secondary School Students' Association, represented by Erin McCloskey and Rebecca Hartley. Good afternoon. Please go right ahead.

Ms Erin McCloskey: I'm Erin McCloskey and I'm the student premier of Ontario.

Ms Rebecca Hartley: I'm Rebecca Hartley. I'm the minister of provincial affairs.

Ms McCloskey: Today we're here to represent an outline of the report that will be released later this week, entitled Ontario Students' Response to Bill 160. It's to give everyone here an idea of the specific concerns students have in this province, as well as the recommendations that we feel should be made. That's what we intend to accomplish here today.

I'd like to give everyone some background information about our organization, to put into context how we received this information and to ensure that everyone is aware that we were trying to be accountable to the students of this province while we went about doing this.

We represent over 700,000 students, all the secondary school students of the province. We have four objectives: to act on matters and issues of concern to the secondary school students of the province; to determine student opinion and present and represent that opinion to the Minister of Education and Training, as well as all other appropriate parties; to provide resources and leadership training, where available, to the students of this province to help them achieve their own objectives; to promote communication and cooperation among the secondary school students of Ontario.

While trying to achieve these objectives, we have come up with this report. It is a detailed, point-by-point position on the major issues in the bill and how students feel about these issues and what their specific opinion is.

We would first like to express the disappointment and anger of our constituents that we weren't consulted and there was a real lack of information made available to the secondary school students of this province. As a result, the students remained either misinformed or completely uninformed. The information that was made available to them was scarce and lacked specificity. We would request that in future, when there are major changes being made to the education system, the OSSSA be made aware of these changes so we can effectively act as a conduit to transmit this information to the students of this province.

The method we went about to achieve our objectives, as well as to determine student opinion, was as follows:

Across the province, regional information sessions and forums were held. Questionnaires and surveys were distributed to determine student opinion across the province on specific points of the bill.

Ministry of Education representatives, as well as teachers' union representatives, were invited to all these

forums so that in addition to the facts we had available to us, the students could be informed of the different viewpoints concerning this bill. If one of these representatives was not able to attend, material from their organization was presented in an effort to achieve equality and equal representation from all the parties involved.

After receiving all the available information that we could provide to them, the students were asked specific questions on the major points of the bill. From that, regional reports were compiled based on these concerns and opinions. The outline of the report that's to follow, which the minister of provincial affairs will be speaking of, is a specific outline of how the students of this province responded to this bill and what their opinions, concerns and recommendations were.

Thank you in advance for your consideration of student opinion. We would like to remind everyone that this is the opinion we have, the students of Ontario. We did this in the most accountable and time-efficient way we felt we could. I now hand the floor over to Rebecca Hartley.

Ms Hartley: Hi, there. I think everybody has a copy of our report in front of you. You can follow along with me as I discuss the issues here.

The first issue we looked into was limiting class sizes. Overall, the students do agree with class sizes being capped, although there is a concern that there isn't a specific number mentioned in the bill, which is a big issue for the students of our province. We are extremely concerned about the fact that there is no number, because it might actually increase the number in our already overcrowded classrooms. Of course students want to learn, and we feel that more students would be a hindrance to our learning process.

There are a number of specific questions and concerns that we have heard across the province on different occasions. The main one is, of course, what will the standard class size be? That's the main one in this point here. We don't know that, and we'd like to. Will it be an increase or a decrease in student-teacher ratio? This is an extremely important point as well.

There are a number of specific concerns now. For instance, let's say a student needs a specific course for graduation. It's the second semester of their final year. What happens when that class is full? Are you going to put another class in, or are you going to take this number and adhere to it so strictly that that student cannot graduate or cannot go into the program of their choice because they don't have the prerequisites? That's a very strong concern of the students of this province.

We're wondering whether these limits will depend on subject and grade or whether there's going to be a blanket number. We feel very strongly that there should be subject- and grade-specific limits, that there shouldn't be one overall number for every class in every school in this province. The current average class size, outlined in the backgrounder the Ontario Ministry of Education and Training has put out on Bill 160, is 25. Our recommendation is to not exceed that number of students per class.

The next recommendation we have is the point we just talked about, that the number of students should be grade- and subject-specific. As well, resources should be made available to ensure that every student's course requirements for graduation are fulfilled, which is the point we were talking about earlier.

Continuing to teacher preparation time, students recognize the fact that this is extremely important for their education. For a well-rounded education, we see the need for extensive preparation time for the teachers so they can help the students learn in as varied a way as possible. It's not going to benefit our students for teachers who have been teaching the same way for 10 or 20 years to teach them again in their class situation.

Teacher preparation time is a big concern to students, as it will directly affect their extracurricular activities that happen at school, for instance, student government and sports, band, music, drama, that kind of thing. If teachers have less time to prepare for their classes, how many of you feel that teachers are going to want to spend even more time working with extracurricular activities when they have less time to prepare on their own time? I think that's a big issue as well.

Extracurricular activities cannot suffer because of this bill. We feel it is an integral part of a well-rounded education that we as students are receiving in this province.

We feel that a reduction in teacher preparation time will negatively impact the classroom learning we have in this province. We feel a reduction will increase student-teacher ratios, and we're concerned about that.

There are, however, a few students in this province — a minority, yet they did voice this concern — who feel that many professions do not get extra preparation time in addition to their normal working day, so they don't feel teachers should differ from any other profession. We're working on our mandate to represent all students in Ontario, and that's what some of the students feel.

We have specific questions and concerns. Our main concern is, how will the government help ensure that the extracurriculars are not slashed, are not cut, are not lost? Those are integral to our education. Will the amount of preparation time allowed correspond to different subjects? For instance, will a gym teacher get the same amount of preparation time as a science teacher? These are questions we have.

Will the reduction of teacher preparation time result in layoffs? If it will, we are concerned about that, because as stated in the report we sent out last month — that was actually on the secondary school reform, but something major that has happened across the province is that we've heard, "We don't want to lose our young teachers." That's extremely important to us as well.

We have our recommendations. Since the advisers or coaches are needed for extracurricular activities, we suggest an increase in parent-community involvement to off-balance that. We feel that preparation time should be allotted based on subject and grade-level demands. Those are our recommendations on that point.

Continuing to the lengthening of the school year, overall, the students are extremely opposed to this position. There are two major concerns.

The first one is the lessening of exam days. When we see 15 exam days being crunched to 10, we as students are scared. We're very nervous and apprehensive about this, because that gives us less time to prepare for our exams and it gives more chance that we're going to have to write two or more exams during one day, and that's a scary proposition. These exams means a lot. In some classes, they're worth 40% of the overall mark. We feel that it's uncalled-for to write more than one in a day, and it's extremely hard to try to compact 15 examination days into 10.

1550

The next concern with the lengthening of the school year is the reduction of professional development days from nine to five. We feel that these are of great value, both to our mental health and to the teachers' mental health. We feel that the teachers learn a lot of new materials, they learn new techniques, that kind of thing, and it really does benefit us as students in the classroom, overall.

We would also like to make sure that everybody realizes that the students of this province feel that improving the curriculum and improving the resources and facilities is as valuable to students as the amount of time they actually spend in the classroom. That's another thing to keep in mind.

We have specific questions and concerns. How will this measure save money? We realize that the government has to take \$1 billion out of the budget, but how is this going to save money?

Mr Wildman: It's only \$667 million.

Ms Hartley: Oh, it's only \$667 million. Wow. Super.

Mrs McLeod: The next \$667 million.

Ms Hartley: We have to take a large chunk of money. Is that okay, "a large chunk of money"? How is this going to save us money if we're increasing the number of school days? The length of time one spends in a classroom does not necessarily determine the level of quality one receives there, and that's something to keep in mind as well. It's a big issue that we have heard province-wide, that the time spent in a classroom does not equate with quality education.

We have recommendations. The recommendations include: Resources and facilities that are available to the students should be improved. As well, the school year should not be lengthened on either end, the summer or the fall end. This is extremely important to students who have summer jobs, that kind of thing, because it is part of our summer. It's part of the whole idea of having a summer job and making money. We all realize the economic times, that students are working. We all realize that, so that is a big concern across the province.

The next point is access to specialists. We've received a lot of information from the students of the province about this point in the bill. Students across the province believe that access to specialists will be beneficial to their

education, yet they have a number of different concerns about the logistics.

They feel a specialist would facilitate hands-on training which might not be available by the classroom teacher and this could be beneficial. They feel that specialists might have greater knowledge in a specific subject area than a teacher and this could be beneficial. Yet do these people have the techniques required to teach effectively? The teachers of Ontario schools have the ability to relay information that they know so that the students may absorb it. Our biggest concern with this aspect of the bill is whether or not these specialists will be able to teach us. Yes, they may know about tool-and-die making, but will they be able to relay that knowledge to us as students? We're a very different group of individuals and I think that's an extremely important point.

We have questions, comments and concerns. Will these professionals be trained on current board policies, for example, board policy on racism, sexual harassment etc? Will these professionals be trained to teach effectively? That is the point that I just made about communication techniques, learning styles, that kind of thing. We feel that the teachers are trained in these matters.

Will these professionals be replacing certified teachers? That's another question that we heard province-wide. Will these professionals be brought in to do seminars and workshops or will they be given the entire course content for an entire semester? That's another question. How will these professionals be evaluated? How do we know that they are being good teachers? These are all questions we've heard in Ontario from the students.

We have our recommendations. We recommend that specialists must be trained to deliver quality education, which is the name of this bill. We feel that specialists should have a teacher's certificate of sorts and they should be instructed on instructional methods. They should have a background in instructional methods as well, through workshops, seminars etc. We also feel that professionals should be trained on exact board policy. That concludes that section.

The next one is school advisory councils. The students of Ontario fully support these school advisory councils. Students feel extremely empowered to make their own decisions and to help out with policy when they are sitting on these councils. We have a lot of energy and that kind of thing and we feel that this is an excellent channel for that.

We as students of this province feel that communication is the key here. We feel that this is a good spot for students to have their voices heard, and yet there only is one student mandated to be on the school advisory councils. We feel that this is an extremely important governing body in the schools and that students should be a part of these.

We have some concerns and questions, of course. Are these councils going to be elected? How will the students become part of these councils? The students are concerned that the decisions made will be based on short-term rather than long-term outcomes. How much influence will these councils have? If they have a lot, then the number of

students recommended or mandated per council should also be quite high. How will students be included in these advisory councils? Are school councils not already mandated in this province? That's a question the students have come up with across the province.

We have our recommendation: That the students must be effectively and democratically represented on these councils, as they should be on every other issue that does revolve around them, which is the whole thing here, I guess.

The next issue is education property tax rates. Overall, students are against transferring the responsibility to the government and we have many reasons for this. We think that regionally the school boards realize what the needs are in their own region and we feel that one person overseeing the whole province won't see the minute details that a board would see.

Equality of this program is another widespread concern. The government has stated that taxes will remain in the region where they are raised, yet we feel that it's a very difficult statement to make, seeing as \$5 raised in the Metro area is spent extremely differently than \$5 raised in, for instance, Thunder Bay. It goes differently, it's spent differently, and it goes a lot further in one area of the province than in the other. That's a concern that we have as students of our province.

We have questions and concerns. Although funding may be more equally distributed across the province in terms of numerical value, we feel that funding does achieve more in certain areas of our province than it does in others.

We have another couple of questions here: Will every school receive the same amount of funding per student or will the funding be region-specific? Therefore, does the board have the power to take the money that they are given and then disburse it? Or does the government have all the power to just go boom, boom, boom with the money. Sorry, Hansard.

Will this funding system affect special programs, as we feel they are extremely important? How would the funding system be reviewed to gauge effectiveness? We think this kind of funding system does have to be reviewed because it is extremely important that we do that. How will the government go about doing that review?

We have a recommendation: That further study of regional needs should be conducted prior to making any sort of funding system in regard to that.

A couple more and then we'll continue with questions. Is that okay? Okay.

The Ontario education number: Students agree with this. We feel it's going to be beneficial when we're transferring from school to school. We agree.

We have a couple of questions: Will this number be retained in the event of a stoppage in one's education? For instance, if a student drops out in grade 12, will that number remain with them when they choose to come back as an adult learner? Who will have access to a student's files as a result of this number? Will it just be the people in my own board or will everybody have access to my

file? That's a question that the students have concerns about across the province.

Our recommendations are that the files should not be accessible without written consent from the student or a legal guardian.

Number 8 is the recognition of growing communities. We feel that the construction of new facilities would reduce the incidence of overcrowded classrooms and we fully support the creation of these new school systems or facilities.

The last one is collective bargaining. Students believe that collective bargaining between school boards and teachers' unions is necessary to ensure quality education. And that came straight from the students' mouth.

Now I'm going to turn it back to the student premier and she's going to delivery a bit of a summation. Thanks for your time.

1600

Ms McCloskey: This is again an outline of what we have received back from the students of this province. We feel that the method we went about to collect this information was the most time-efficient and accountable way we could accomplish the feat we had before us, which was to determine student opinion and relay it to the appropriate organizations.

In conclusion, we'd like to thank you all for your time. I'm going to open up the floor to questions, if that's permissible.

The Chair: Yes.

Ms McCloskey: Just before I do that, though, I'd like to remind everyone that the students are the primary stakeholders in this education system and should remain the absolute priority through all these transitional periods. I would ask that the recommendations that are presented here today, which came from the mouths of informed students in this province, be taken into account when we look at the validity of this bill and look at what it's trying to accomplish and gauge that and measure it against what is in the best interests of the students of this province.

The Chair: We have two minutes per caucus and we'll start off with the third party.

Mr Wildman: I want to congratulate you very much on your presentation and the work that you obviously did across the province among students to come up with your recommendations. One of the criticisms that sometimes has been levelled by government members in particular about deputants is that they aren't positive enough to give specific recommendations. You've done exactly that, so I don't think anyone could be critical in that area.

You raise a lot of very important questions. I would like to deal specifically, though, with one and then I'll turn it over to my colleague. Right at the beginning, when you talked about limiting class size, on behalf of students you talked about the average number that is now used. The government uses 25. That doesn't mean the average number of actual classes; that just means how many students work out to the number of teachers, taking into account some very small classes for special ed and other

types of situations, and also those teachers, like principals and vice-principals, who aren't in a classroom.

I understand from what you say that if that number is to be used, 25, or if it's a number of numbers, like smaller for primary grades and higher for more senior grades, that number be a maximum, not an average. Is that basically what you're asking? If they're going to limit class size and there are going to be specific numbers, they should be in the bill and they should be seen as maxima not as averages?

Ms McCloskey: That is the recommendation of the OSSSA.

Mr Wildman: Okay. Thank you very much. That is a positive recommendation.

Ms Lankin: I'll try and be very quick. Ms McCloskey, let me say congratulations on your election to premier. I've followed your career through cabinet over the last couple of years. The presentation is excellent. It's well thought through, as I would expect from your organization.

In your conclusion, you raise the point that students are the centre of this system and that the issues need to be resolved, but you think a strike is not the way to resolve it and you're concerned about what that means to your education. I understand that concern.

We have been trying to press the government to find a resolution because we don't want to see two million students without education, but so far they seem to refuse to move. Would you support a proposal which says put this bill aside and let's get the funding formula and the budget out in front of the public and discuss quality education in the context of all the information? Would that be a first-step resolution that the students would support?

Ms McCloskey: I believe that one of the main general concerns we received from students across the province is that there was a lack of specific numbers. Any effort made by the government or any other organization to clear up some of these issues and come to decisive standpoints — I think this is answering your question — on the specifics of the bill before it becomes law essentially, I think the students of this province would think is really beneficial.

Mr Smith: Likewise, I would echo the comments of my colleagues in terms of the content of your presentation. There are a number of very important questions that you have there and I'll certainly endeavour to respond to them directly. I suspect the committee would like to see the responses that I provide to you and I will endeavour to do that as well.

I was concerned when at the outset of your comments you relayed your observations about being uninformed or misinformed and that obligation in part lies here. Certainly we'll endeavour to remedy that problem because that's not correct. You should have a greater say and I agree with that contention.

I just happened to be reading the Sudbury Star here as you were presenting because one of your regional representatives from the Sudbury district was quoted in the Star. Although you didn't allude to it in your presentation, it says, "The OSSSA's position is that a teacher walkout

is not in the best interests of students, that they may be making their points or they may be making their political statements, but the OSSSA believes the best job a teacher can do is to be in the classroom teaching students."

Is that an opinion of your organization or an opinion of the individual who was interviewed by the Sudbury Star?

Ms McCloskey: I believe that was Mat Kennealy. Am I correct in that?

Mr Smith: Yes.

Ms McCloskey: He's the regional president for the midnorthern region. That is the official standpoint of this organization on the possibility of a teachers' strike. Although we support and respect the issues for which the teachers are fighting — and as you can observe from the recommendations and the overall opinions we've presented here, a lot of them coincide with what the teachers are saying — we do not, however, support a teachers' strike, because if students of this province are not in the classroom, the educational system has failed them. The best interests of the students are in the classroom.

Mrs McLeod: Let me echo the congratulations and appreciation for your presentation. It was very thorough and I am glad to see students here because I think it is more than regrettable that with all of the changes that are introduced to education, and not just by this government, I'll acknowledge, students' voices tend not to be heard.

The questions you've asked are also legitimate. They all deserve answers. If Mr Smith could actually produce the answers, not only for you but for this committee, within the next 24 hours and the answers were found to be satisfactory, I think we would not have the crisis we're facing right now that has both students and teachers in the kind of dilemma that they're in.

One of my concerns is that the answers that are going to come are going to raise even more concerns. We should know, on the issue of the certification of teachers, whether these experts will be able to teach. The College of Teachers came yesterday and expressed very grave concerns about the control by cabinet as to who should be a teacher and who doesn't need to be a teacher and they've recommended that those areas be changed.

One of your questions was about preparation time and whether that means that teachers would be teaching more classes. That's clearly the government's intent, as stated, that teachers would have less preparation time, teachers would have basically more classes to teach and therefore more students.

The issue of class size I think is also extremely important to wrestle with because it's talking about limits on class sizes and saying what they're going to be. But if your recommendation, which is a very positive one, were to be accepted, it would mean considerably more teachers, as we've learned, and that means more dollars rather than fewer teachers and less dollars. With the evidence today that the government's intent is to take another \$667 million out, I think that would probably raise concerns.

If those are the kind of answers that are given to you as students, does that increase the students' sense of concern about what's happening to education?

Ms McCloskey: It does indeed. We recommend that class size stay low and that teacher preparation time remain a big focus within our education system because we feel it's essential. Logically, we can see that might equate to keeping as many teachers as we have now, if not hiring more. A very valid point.

We recognize that the government intends to cut more out of education, so our question is, how can we ensure that the students are receiving the best-quality education that they can possibly receive in this province, how can we ensure that our recommendations are followed up on and how can we do this in the face of all these cuts to education? That's a very good question. I'm not sure there's a direct answer to that. I think that could come through consultation with the parties involved.

The Chair: Both of you, thank you very much for being excellent spokesmen.

1610

ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION

The Chair: Our next presentation is the Ontario Public School Boards' Association, Lynn Peterson, president, and Liz Sandals, executive vice-president. Welcome. We have 30 minutes set aside for your presentation, and I would ask you to proceed.

Mrs Lynn Peterson: I certainly appreciate that. I believe you have a copy of our presentation. It does contain a number of very specific recommendations.

First, I'd like to say good afternoon. My name is Lynn Peterson, and I am president of the Ontario Public School Boards' Association. With me today is the executive vice-president, Elizabeth Sandals. We also have some resource people with us today in case you have questions that go into some details and you would like to go a little further than we can.

Let me begin by thanking the Chair and the members of the committee for the opportunity to speak to you today.

Our children are our most precious gifts, and I'm sure we all agree their wellbeing is our highest priority, one that transcends any bias or political preference we may hold. The Ontario Public School Boards' Association exists because of our children. We represent more than 90 public boards of education, serving more than 1.5 million students across this province. Our mission is to promote and enhance public education for the benefit of all of Ontario's citizens through equal access to educational opportunities.

Our new Minister of Education and Training, Mr Dave Johnson, has begun his tenure by allowing his reputation to precede him. If I am to believe what I hear, the minister's approach is tough but fair. Having not met the minister, I, like the teachers' unions, look forward to a

fruitful and constructive dialogue before Bill 160 passes into law.

I would like to take the next five or 10 minutes to briefly outline certain elements of the bill as we see it, and then open the floor to your questions and comments. We will only be covering some of what we see in this bill. It is, as you know, 262 pages long, and we have addressed all the other issues in the bill.

First of all, I'd like to say that Bill 160 is an unprecedented piece of legislation that confers arbitrary and unregulated powers to the minister and to cabinet to direct and control every aspect of education in this province and is in the end not acceptable. Once this bill becomes law, every major decision will be done by cabinet through regulation, not legislation, behind closed doors, without consultation, and without the ability of anyone — not parents, not members of the Legislature, not even the courts — to stop them.

How sweeping is this legislation? Cabinet can now dictate their terms on the financial and operational affairs of each and every school board. Consider that the minister can issue directives impacting any school board asset, property or liability, including seizure or sale, without cause, and dismiss any officer, employee or trustee who fails to carry out any order, directive or decision made by the minister. This all can be done based upon completely subjective criteria, devoid of any objective evidence, and it ultimately leaves school boards and their communities at the mercy of the minister. That is not democracy; that is government by decree.

Bill 160 is about power — extreme, excessive and centralized power. Like the War Measures Act, it offers one individual the ability to hijack a board of democratically elected trustees, offers no criteria to indicate when or how this power can be invoked and allows no one — not the public or even the courts — to challenge their actions. Should any one individual, organization or government, under any circumstance, now or in the future, have such unfettered power, regardless of the issue, in a democratic society? Clearly the answer is absolutely not.

Since the early 1840s, the local governance of education in Ontario has been based upon the ability of local ratepayers to contribute directly to education through a tax that is dedicated exclusively to the children in their local communities. Bill 160 will bring this long-standing relationship to an absolute end.

Over the last 20 years, this province's support of education has been reduced by more than 20%, this despite the realities of increased enrolment and inflation, and coupled with mandatory programs such as junior kindergarten, special education, building code adjustments, pay equity, the employer health tax, the extension of the Roman Catholic system etc has forced public school boards to increase their reliance on local revenues. School boards have transformed themselves into efficiently run businesses. In fact, public administration is now, on average, about 4% of a board's annual budget. We've been there and cut that.

This association urges the government to step away from its fundamental position on taxation, which robs local communities of any fiscal control. It is undemocratic, outside the government's mandate, and is, we believe, unconstitutional. Having said that, we ask that Bill 160 be amended to provide school boards with continued access to local resources to ensure sufficient funding for all government-mandated programs and for local programs.

For almost a decade, this association participated in consultations with the government of the day to develop a new funding model for education finance. We're still waiting. This concerns us greatly, as it is vital that the right funding model be developed right from the start. The matter of adequacy must be an integral part of the funding model, and it must be monitored continuously. The model must provide sufficient funds to provide programs and services to meet all the needs of all the students in the only system that serves every student who walks through the door. How can school boards continue to effectively run their businesses if they have no idea what their revenues will be?

I participated in weekend meetings with the ministry last month, and instead of seeing an indication of where this new model stands, I saw documentation stating that it was the government's objective to remove an additional \$1 billion from the public school boards' budgets. As recently as last week, both Minister Johnson and Minister Eves suggested this figure was inaccurate, but neither gentleman has actually committed to what the amount will be. Let's be clear: The removal of any further funding is absolutely unacceptable. School boards are beyond doing more with less. We're already doing less with less. Even the EIC agrees on this point.

OPSBA does not oppose the restructuring of school boards. It does support the EIC's recommendation that any savings realized through the restructuring of school boards be reinvested in education systems. We hope this government will make the same commitment and move towards a stable and adequate funding model.

Unfortunately, our challenges don't stop there. As a result of the amalgamation from the Fewer School Boards Act and Bill 160, short-term costs will skyrocket as a result of the impacts the transition will bring. Consider the literally dozens of pay scales currently employed. Consider the harmonization of the varied benefit plans and different staffing formulae, and consider the harmonization of services. If board A today is providing junior kindergarten and its new partners do not, you are either going to have to provide or not provide that service. There is a cost that goes with that and with all of the amalgamation. As with the teachers and staff, parents will also expect the services and benefits their children currently enjoy will continue and will be protected as boards struggle through this transition.

What will this cost? Harmonization will add another \$300 million to \$500 million, coupled with what appears to be a \$200-million shortfall in the stub year. I trust you understand by now that this is an impossible situation. Given that school boards cannot absorb these costs, will

this government commit to adequate transitional funding? If it does not, the impact won't be felt in Queen's Park; the impact will be felt in the classroom.

As president of this association, as a concerned citizen in this province, as a mother and as a grandmother, I am appalled with this government's desire to circumvent and distort our democratic principles for the sake of a tax cut most of us will never really see.

If public education deteriorates as a result of this bill, and I believe it will, the government will tell you it was your local trustees — create a scapegoat, blame the system — but they will be wrong. It will be Bill 160. This is not an act to improve education; this is our very own education War Measures Act. Thank you.

Could I open the floor to questions?

The Chair: Yes. We have probably about six or seven minutes for each, and we will start this time with the government.

1620

Mr Dave Boushy (Sarnia): Minister Johnson has asked for an extension of time so that negotiations can continue. Are you in favour of that, or would you rather see the majority of teachers go on an illegal strike?

Mrs Peterson: Could you explain the negotiations to me? Are you talking about the discussions between the government and the teachers' unions today?

Mr Boushy: Yes.

Mrs Peterson: In terms of looking at Bill 160, I would welcome an opportunity to sit down with this government and take a look at all the issues we've described in this document, and there are many of them, and have the opportunity to talk about what the bill should or should not look like. One of the things we are absolutely certain about is that this piece of legislation is centralization, central control, that it has too much regulatory power. Those issues must be curbed. Is there time? Is there a willingness to talk about what should happen? Absolutely.

Mr Boushy: How do you feel about an illegal strike by the teachers? Would that hurt kids? How do you feel about it?

Mrs Peterson: I have four grandkids in the system. Public school boards do not condone illegal strikes or illegal walkouts, but we also understand that this protest is not against school boards; it is against the government. What will happen is that every community will have to deal with that. It's a reality. This is not a happy time for anybody.

Mr Newman: Thank you for appearing before the committee today.

Mrs Peterson: It's my pleasure.

Mr Newman: I was interested when you mentioned the tax cut. I just wanted to bring to your attention that there is an excellent article that appeared in the *Globe and Mail* this month — I'm not sure of the exact date of it. It was written by someone by the name of Patrick Monahan, who used to work in Premier David Peterson's office. He obviously worked in the office when the Liberals increased taxes in this province 33 times. We've seen in

the 10 years ending in 1995 that we had taxes hiked 65 times in this province.

He said in his article that when you cut taxes you actually get more revenue into the provincial coffers; in other words, more money to the taxpayers. It was quite interesting that he gave examples of this government cutting taxes and revenue increasing, while at the same time using examples of other governments that thought the way to get more revenue was to tax higher and tax more and tax deeper. In the examples he gave, revenues actually dropped. It's important to keep that in mind, that the revenue to the province has actually increased with the reduction of taxes.

You mentioned that few people will actually see the impact of the tax cut. They actually will because once fully implemented, lower-income Ontarians will see a tax cut, in some cases, of 40%, while those at the higher end of the income scale will only see an income tax reduction of 18%. Those are very real numbers that people don't talk about. It's very quick and easy to say the tax cut, but when you look at it — perhaps your research people can tell me if I'm wrong or not — at the actual dollars in terms of gross revenue to Ontario, and that means the taxpayers, it means more money to the people with less tax.

With more revenue comes more people working. We can't dispute, and I'm sure your research people as well will not dispute, the fact that there are more people working in the province today than there were in June 1995.

Mrs Peterson: That's all very interesting information. That does not justify taking another \$1 billion away from the classrooms of this province.

Mr Newman: Can I ask where you got the \$1-billion figure?

Mrs Peterson: I actually saw the \$1-billion —

Mr Newman: What's interesting today —

Mrs Peterson: — when I was in the discussions.

The Chair: One at a time.

Mrs Peterson: You asked where I saw the \$1 billion.

Mr Newman: Yes.

Mrs Peterson: I saw the \$1 billion in the discussions with the government over the course of the weekend in mid-September. I did see it. I was told by the government on more than one occasion that it was \$1 billion, non-negotiable. I also saw the actual documentation, that was obviously given and taken back, where the new allocation funding model took \$1 billion from the public system alone.

Mr Newman: I haven't seen any figures like that. People talk about this \$1 billion.

Mr Wildman: They came from Snobelen first. He was the first one —

Mr Newman: I find it quite interesting today that many of the teacher unions that were in today didn't mention the \$1 billion.

Mr Wildman: That's because they've seen the new number. It's \$667 million now.

The Chair: Thank you, Mr Newman. We have one minute for Mr Smith.

Mr Smith: I'm going to ask you something about the bill. We've had a lot of input concerning the role of school councils, and I noticed just quickly that in your recommendations you have concerns about legislating school advisory councils. I realize your comments about volunteerism can't be legislated. How did you come to that conclusion, and why?

Mrs Peterson: The parents we talk to are concerned about the legislative aspect of it, and more importantly the regulatory piece. The ability to regulate gives the government — not this government; any government from now and into the future — the opportunity to dissolve boards, get rid of trustees and change the role of the school councils. The parents I talk to very clearly want to be involved, and bless them, because that's where they need to be, with the children.

The Chair: Thank you, Mr Smith, you have your answer.

Mrs McLeod: It wasn't very long ago that the Premier of the province said: "We cannot trust school boards and unions for quality education. That's why we need this unprecedented power grab in Bill 160." That's a direct quote, Mr Smith, and I've used the term "unions," not "teachers," just so you can't challenge the accuracy of the quote.

There's no question that's why this bill is in front of us. More recently the government is trying to cast this as a fight for control between the provincial government and teachers' unions, and clearly boards have been written right out of the piece, which disturbs me because it seems to me that there was an important balance of responsibility that included school boards. But Mr Harris has also said, "Where are the boards?" I think he should have asked the question before he wrote you out of the entire piece.

I want to give you a chance to respond to that but, Lynn, first of all I want to come back to the issue of the trust around the numbers, because this entire bill is saying, "Take us; trust us." We have evidence of record that questions whether that trust is merited. But now we have this constant denial of the government's intent, the refusal to present the funding formula and the denial of their intent to take even more money out of education. I don't know how many times the government has to be shown, told, hear their own ministers talk about \$1 billion before they believe that's what this government intended to do, and may still intend to do in spite of the public concern.

You saw the \$1 billion in document; you have had it stated very clearly that \$1 billion was to be taken out. We now have a performance contract for the Deputy Ministry of Education which shows that may now have been renegotiated to \$667 million.

I want to ask you about the two other figures you've presented today. One was in this period of time from January to September, that there are harmonization costs that boards will experience of, I think you said, \$200 million to \$300 million. You also spoke about a \$200-million to \$300-million shortfall. Is that shortfall the result of the \$200 million to \$300 million in harmonization, or is that on top of the harmonization costs?

Mrs Peterson: It's the stub year issue that we've recognized. We've done an analysis. We appreciate the fact that the school year and the funding year will now be the same, so there had to be a stub year, January to August of next year.

Unfortunately, when we start to analyse what that would look like in terms of funding, we believe at the first analysis that there is \$200 million short of the stable funding we were promised. We are going to do a full analysis by the end of this week and we'll make an announcement around that, because \$200 million in what was supposed to be a stable environment is something we cannot tolerate.

Also, in terms of the \$300 million to \$500 million, those are harmonization costs. That's the cost of all the amalgamations and transition that go with it.

Mrs McLeod: So those would be basically one time only costs in lost dollars in both respects?

Mrs Peterson: The harmonization are annual costs, not one time only. The stub year will be one time only, but harmonization will be ongoing, annual costs.

Mrs McLeod: So potentially that annual cost would be added, in terms of lost spending dollars for school boards, to the \$667 million in the deputy minister's contract.

Mrs Peterson: Absolutely, and you have to add into all this the issue of enrolment and inflation, and the fact that we now have four systems, not two. I am fearful for the children of this province, regardless of what system they go to. They will all be equally poor.

1630

Mr Wildman: Thank you for your presentation. We meet here at a time of serious dislocation perhaps, and a situation that not only boards but students are going to be caught in the middle of. I was struck by words you used a number of times in your oral presentation. This bill is about power; it's about centralization that must be curbed. You used the terms "War Measures Act" and "undemocratic." I was struck by the fact that those same terms were used by another deputant earlier today, a deputant you might not necessarily agree with on many occasions; that was Earl Manners, the Ontario Secondary School Teachers' Federation president. Was your presentation collaborative or have you been influenced by them or have you influenced them? How is it you would both use a similar analysis and compare Bill 160 to the War Measures Act?

Mrs Peterson: I would actually like to think I have that kind of influence, but in terms of the War Measures Act, that is the same term that was used by Justice Archie Campbell in the Bill 104 findings. In point of fact, if you take the time, and I don't know if we've even found them all, in the better part of nine or 10 areas, the War Measures Act is used in this bill; not once, not twice, not half a dozen times. It is there, an opportunity where when the regulation and the regulatory power is in conflict with this or any other act, the regulation takes precedence.

Mr Wildman: It's the Henry VIII clause. Can I ask one specific question about funding? You mentioned the \$1-billion figure. Mr Eves said last week that the govern-

ment may not have to take \$1 billion. We know where the number comes from, although my Conservative colleagues don't like to admit it; it comes from Mr Snobelen, who was the first one to mention it. I was around when he did it. Now we have a document that is apparently the performance contract for the deputy minister, which mentions a specific number for 1998-99, which is \$667 million. You've talked about the additional cost. Whether it's the provincial government or boards or a combination of the two, if you have to reach those kinds of savings, isn't it the case that you have to have fewer teachers because the majority, approximately 70%, of your budgets are teachers' and support staff salaries?

Mrs Peterson: I suggest that for \$1 billion there is no list long enough of the things we could do to find that money. It would just devastate the entire system. Would part of that be fewer teachers? Unfortunately that may be one of the things we'd have to deal with. But that's not delivery of education to children. No one wants humongous class sizes. I have four little ones out there. They need that time with the people who can teach them.

Mr Wildman: Would a capped average class size stop that increase of class size?

Mrs Peterson: No one wants large sizes. The issue of capping of class sizes: You almost think, "Gee, that would be really nice," until you actually think about the fact that if you legislate it, it just makes things absolutely unmanageable. Nobody wants large class sizes. But if you have a board that is eight-and-a-half hours from one end to the other and now you've got darling Mary Jo about to enter a school in the north of Timiskaming and there's already the capped number there, what are you going to do with that little girl?

Mr Wildman: Send her to North Bay, I guess.

Mrs Peterson: Eight-and-a-half hours away? There is an opportunity here to talk about — if you cap class sizes, if you can say that you cannot have more than X number of little people in a room, then that's the rule. There is and always has been responsible local decision-making on the part of boards. They make those decisions based on the needs of the kids. You cannot, from Queen's Park, tell me what's going to work in Ogden Street school in Thunder Bay — you can't; you don't know where it is, you don't know what the community is — any more than I could say what should be happening in the downtown schools of Metro Toronto. What is of value here is the ability of locally elected folks to make decisions that affect their kids.

Mr Wildman: Why would anyone want to be a trustee under this legislation and Bill 104? You're just going to get all the complaints. You don't have any power to make any decisions. You can't raise any revenue. Why are you into this? Why do you want to be a trustee?

Mrs Peterson: If I'm not here, what happens to the kids and what happens to Ontario in the future?

The Chair: Thank you for your presentation here today.

SANDRA ANSTEY

The Chair: Our next presenter is Sandra Anstey. Welcome.

Ms Sandra Anstey: Thank you very much. My name is Sandra Anstey, and I'm here today as a private citizen, as the mother of a daughter in her last year of high school and also as a former trustee with a Metro board of education.

I was elected in 1991. I served three years. During that time, we heard from many think tanks and many institutions, including the Conference Board of Canada, the Economic Council of Canada, the National Committee of Deans of Engineering and Applied Science, the Canadian Institute for Advanced Research etc.

All research at that time, and remember this is 1991-92, pointed to the fact that while the skill level required to compete in an information society had increased dramatically over the past 10 years, there had not been a significant improvement in student achievement. Warnings about our ability to fill the jobs of the future were seen at that time as mere scare tactics. That was nearly 10 years ago.

Today the same institutions, and a few new ones, are issuing similar warnings, only this time there's a twist. Jobs for the knowledge-led economy have arrived, and they sit vacant or are filled offshore while youth unemployment soars. In July youth unemployment in Ontario was 18%. We have a problem and it continues to haunt us.

Last week the Conference Board of Canada reported once again, this time that jobs exist but students are not choosing technical career paths. I wonder whether that might be because they leave high school without the requisite courses. It would be very interesting to know how many students graduate from OACs with two sciences and two maths, because that's what you need to get beyond a BA entrance in university today; they've upped the ante.

I'm here to support the Education Quality Improvement Act, also known as Bill 160, not because I agree with every aspect of that bill but because we have to get started somewhere. If it doesn't work to our advantage or to the advantage of students and teachers, then let's work to amend it. Let's not sit idle for the next 10 years and have the same thing happening.

I'd like to address a couple of areas of the bill that I think are worth mentioning because they are the areas of the bill that actually deal with students and teachers.

Class size: I can't imagine that there is one parent in this province who would not want a smaller class size. If capping means, as the person before me said, "What happens to that child?" I suspect that even just at the very base level a thinking person would think, "We'll hire new teachers," because there is nothing to gain by turning out kids who can't compete. This government — not exactly my government — I'm sure is like every other government: It doesn't want to be having roaring youth unemployment; it doesn't need to have parents screaming at it because their kids have to travel 150 miles away.

This is not even reasonable, to think those sorts of decisions would happen today.

1640

Focusing on teachers' expertise in the classroom: These are challenging times and it would seem to me that teachers and students alike would not only benefit from an extended period throughout the day with each other, but would welcome it.

More time for learning: We have one of the shortest days and shortest years in the world, and I don't think that's a big surprise for anybody. It's out there. We know it. It's a fact. Nobody's surmising about this. We used to have the second longest in the 1950s, only second to the United States. Now we have the second shortest next to the United States. How are we going to incorporate the new and different skills and knowledge for a high-tech economy in the curriculum if there's not more learning time for everybody?

Access to specialists: This really scares a lot of people. When I was at the Toronto board, I'm proud to say that I assisted in forging three very good partnerships with industry: one in advanced automotive, one in business entrepreneurial studies and one in biotechnology. The intelligence industry brought to these partnerships was needed and appreciated by teachers, administrators and students alike.

In today's knowledge economy, we cannot expect every teacher to be current on all topics. The appropriate use of outside expertise and intelligence will be of great value to teachers. After all, ladies and gentlemen, we are on a treadmill of change that's never going to stop.

Prep time: This is actually one area of the bill I have some difficulty with. With the pressures that are on teachers today to teach the extended basics and to deal with the complexities of the classroom, they probably need more prep time. For example, teachers in Japan spend more time in the school but less than in the classroom than teachers in North America because they're learning all the time. They're doing team teaching and they're supporting each other in terms of trying to figure out what's going on in the classroom and learn different ways in which to approach that.

I'm not sure how much of that's going on right now and the government, the unions and the teachers might want to have some real, meaningful discussion on what the prep time of today is. Are there some things that are being done that aren't necessary? Are there things we should be doing that we're not doing? Do we need more time? That kind of analysis instead of screaming about, "Oh, we're going to cut by 50%." "We can't take this, we need our prep time."

I spent a half-hour preparing for this. I'm never going to get paid for it. I spent a whole day on Friday preparing to pitch a new client. I'll never get paid for that. Hopefully, I'll get the new client. There are all kinds of things we all do in our everyday life to prepare ourselves for things. There are some things teachers deserve to have. They deserve to have the right resources to teach the things they are required to teach today.

Power and money grab: This is a really interesting one. It would seem to me that I would prefer, if there has to be a power grab, that it be with the duly elected government because in that situation we can at least have some powers on our own to oust that government when the time comes. Certainly teachers' unions are not new to those kinds of tactics. As a matter of fact, I was part of a government that they were very much involved with having ousted at the time. Unions have had the power for the past 25 years and today we have an 18% youth unemployment rate. We have got to start asking why and we've got to start doing something about it.

In conclusion, yes, there is a problem. This is not the perfect legislation and no legislation is. I'm a government relations consultant. I wouldn't be in business if there weren't problems with legislation. But we have opportunities to amend that legislation. We have opportunities to lobby. We have opportunities to vote. We have opportunities to discuss. We have a responsibility to our youth to help them, and to our teachers to give them the resources they need because I'm not quite sure there's been enough emphasis on giving teachers what they need to teach the things they need to teach.

The Chair: On behalf of the committee, I'd like to thank you very much for your presentation here.

YORK REGION ROMAN CATHOLIC SEPARATE SCHOOL BOARD

The Chair: Our next presentation is the York Region Roman Catholic Separate School Board, chairman, Tina Molinari.

Ms Tina Molinari: Thank you for the opportunity to speak to you today on the subject of Bill 160, the Education Quality Improvement Act.

I am Tina Molinari, presently the chair of the York Region Roman Catholic Separate School Board. I have been serving in this capacity for the past three years. I have been a trustee for the past nine years. I am seeking re-election because I believe in the benefits of a quality education for all students and I am committed to doing my part to ensure that this is not jeopardized. I'm certainly not in it for the money.

With me this afternoon is the newly appointed director of education, Susan LaRosa, who will assist me in answering any questions the committee might have.

The York Region Roman Catholic Separate School Board educates 44,000 students in 73 schools, employs 3,300 staff and covers 664 square miles of geographic area, bounded by Metro on the south, Simcoe on the north, Durham on the east and Dufferin-Peel on the west.

Since our board is presently in the midst of teacher negotiations, most of my comments this afternoon will concentrate on the financial issues contained in Bill 160.

Putting children first and focusing our dollars on the classroom are principles brought forward from the ministry's Meeting Student Needs paper, along with principles of education quality, equity for students and taxpayers, affordability, accountability and responsiveness

to local needs. We are strongly supportive of these principles, and it is with these principles in mind that I offer my comments and considerations about Bill 160.

The government has continued to demonstrate its commitment to constitutional protection for Roman Catholic separate school boards and for French-language governance, and for this our board thanks you. We also applaud this government for its commitment to repair the current inequitable and unfair funding model, to ensure a high quality of education which will ensure, for the first time, an equitable distribution of financial resources and guarantee that there are no second-class students in Ontario.

We all know that exhaustive studies have been done that confirm the need for change. Where past provincial governments have long recognized the need, they have been frozen in the legislative consultation process. This government has clearly demonstrated its will to move ahead with a fair and non-discriminatory funding model, and we are hopeful now that you will not delay this process.

In this regard, we understand Bill 160 provides for a three-year transition period to assist boards in moving from the current funding model to equity. This is a major concern for boards such as ours that have already suffered years of inequitable funding. We implore you to not make us wait for funding equity while richer boards, losing money under the new funding model, are granted time to adjust and transitional funds. We strongly oppose any delay that will jeopardize the movement towards equity. We ask you to correct this injustice immediately.

Our board has been impacted by a number of unique circumstances which have caused severe financial hardships. In the mid- to late 1980s, we were considered the fastest-growing board in North America. Extensive growth in York region resulted in the need for us to build a large number of schools in a relatively short period of time.

Since 1985 our board has completed 49 school construction projects, generating 2.8 million square feet and 31,000 new pupil spaces. The capital expenditure and debenture debts incurred during this high-growth period are still being felt today. We are now carrying an outstanding debenture debt of approximately \$98 million, requiring repayment of \$16.5 million annually.

1650

At the end of 1993, we faced an accumulated deficit of \$32 million. To retire our debt, we developed, and the province approved, a five-year deficit elimination plan for our board. We are proud to say that we have since turned the ship around and we are well ahead of our original plan to eliminate the deficit by 1998 with now only \$5 million left as of 1997 year-end projections.

Our debt combined with ongoing provincial grant reductions serve to increase the discrepancy between what our board can spend on its students and the amount spent by our public school counterparts. Over the past few years, we cut a number of programs and services, including over 25% of central office staff.

Historically, we have educated approximately 33% of the students in York region, while having access to only 23% of the local tax base. This is an inequity we have been forced to live with.

These inequities need to be corrected. Bill 160 is lengthy and complex, and despite the negative rhetoric that has been in the media over the last few months, it's important to stress that there are parts of Bill 160 which provide the groundwork for the essential changes needed to correct the historical inequities which have existed between assessment-poor and assessment-rich school boards.

We are anxiously awaiting the new funding model and we are hopeful that it will work effectively for the betterment and advancement of the children in our schools by providing them with the same educational dollars available to schools across Ontario. The fact remains that if our board had been funded at the same level as our public school counterparts, we would not have a deficit at all. In fact, because of our efficiencies, we would be operating today with a budget surplus which could have been redirected into our classrooms to enhance student learning.

We are pleased that the bill authorizes cabinet to appoint a committee to ensure that the standards governing fair education funding are being met. Rest assured that we too will be vigilant in ensuring that promises of equity are fulfilled.

We are already on record as supporting the removal of education funding from local taxation, and we believe this to be the only way to ensure equal resources per pupil throughout Ontario. We support getting trustees out of the taxation business and allowing them to concentrate on being guardians of education in their communities.

Bill 160 gives the responsibility to the province for setting education property tax rates. They will set a provincial mill rate so everyone will be paying the same. This has long been a goal within our region where our separate school supporters paid as much as 10% more in residential property taxes than public school supporters.

We know a number of expert panels will provide input to key sections of this bill and, as a board, we are pleased to have made available some of our staff as participants in this consultative process. Our teachers and staff have demonstrated time and again their commitment to our Catholic school system and to education throughout our province. We will continue to provide and commit staff resources for the betterment of education, and I too am prepared to continue to commit my efforts to this worthy cause. We are comforted as a school board with the government's approach which takes into account the values and expertise of those in the education sector.

In this regard, we encourage the government to work with those who have voiced their concerns about Bill 160. The looming illegal teachers' strike is of grave concern. However, we also caution the government to ensure that any subsequent changes to Bill 160 not jeopardize the bill's fundamental principle to provide fair and non-

discriminatory educational opportunities to students throughout the province.

In closing, please allow me to reiterate: Putting children first and focusing our dollars on the classroom are key principles which are emphasized throughout Bill 160. We are supportive of these principles and we agree that changes must be made.

Exhaustive studies have already been done that have confirmed the need for change to our education funding model. Surely no one can disagree with a funding system that is equitable to all students in the province. You cannot allow the continued perpetuation of education systems for haves and have-nots. Change is needed and long overdue.

We congratulate this government for moving ahead in its commitment to repair the current inequitable and unfair funding model. Where past provincial governments have long recognized the need for change, they have been frozen in the legislative consultation process. Through Bill 160, this government is clearly demonstrating its will to move ahead and we are hopeful now that you will not delay this critical process.

Thank you for allowing me the opportunity to speak to you today.

The Chair: Thank you both for your presentation. Our time has elapsed.

TORONTO TEACHERS' FEDERATION

The Chair: Our next presenter will be the Toronto Teachers' Federation, Frances Gladstone. Please proceed.

Ms Frances Gladstone: I'm Frances Gladstone, president of the Toronto Teachers' Federation, and with me is Evalyn Sullivan, first vice-president of the Women Teachers' Association of Toronto.

Since the Conservative Party came to power, the message it has brought has been made abundantly clear to Ontario citizens: We will destroy whatever stands in the way of cutting taxes and reducing the deficit. You have kept your promise. You have increased poverty by reducing welfare. You have created a deterioration in health care by firing nurses and closing hospitals. Now you are prepared to destroy the educational system as well.

To finish paying your unnecessary tax cut, you have said, though you now retract this statement, that you will take a further \$1 billion out of the educational system. Bill 160 is the vehicle through which you intend to do this. But Bill 160 is not only about taking money from the system; it is also about power and control. It makes a mockery of the democratic process. Teachers and school boards have had decision-making responsibility until now. This government is attempting to take it from them. You have already neutered the trustees with your Fewer School Boards Act. Your target is now the teachers. Once you have taken full control, it is our strong belief that you intend to privatize whatever you can in education, to create charter schools and to make education responsive to the needs of the corporate structure.

Bill 160 gives the cabinet sweeping powers. It removes from teachers the ability to negotiate their working conditions. Such critical matters as the length of the school year and school day, the number of instructional days, professional development days, examination days, class size, teaching and non-teaching time, will all be determined by the whim of the government.

The minister will also have unchecked regulatory powers in a wide variety of other areas. These include, but are not limited to, transferring schools from one board to another or taking over school boards if he feels that they have been mismanaged. There is nothing in the legislation to describe what "mismanaged" might imply. This government will be empowered to make whatever changes it chooses through orders in council. It will no longer have to pass legislation; all changes can be done by regulation, behind closed doors. This is not democracy.

Through this bill, you will have complete control of taxation, therefore complete control of funding. And there are no specifics in this bill. The way the legislation has been written makes it completely dictatorial: You need not consult, inform or discuss any provision you wish to include. There will be no public debate to determine the acceptability of your decisions. The balance of power that currently exists among school boards, teachers and parents will be destroyed. The educational system will be at the mercy of politics or, more specifically, of politicians, namely, those in this government.

1700

Apart from our absolute inability to accept the loss of the democratic process that this bill reflects, we have a great many concerns in regard to specific issues. These include, but are not limited to, all of our working conditions, among which are class size and prep time, also the hiring of non-certified personnel to instruct students, the loss of jobs and the removal of funds.

In regard to our working conditions, many of which I earlier enumerated, I believe it is accepted practice in a democratic society that employees have the right to negotiate these. We are of the definite opinion that we should continue to have this right. This legislation takes away from us the ability to negotiate all but salary and benefits. Needless to say, we will be greatly hampered in our attempt to negotiate even these as the boards will not likely be provided with adequate funds to cover all their expenses. They will be fully dependent on whatever amount you choose to return, and we here in Metro have no doubt that the amount will be inadequate to meet our needs.

In the matter of class size, that you lay the blame for its increase on teachers is another issue which greatly angers us. We believe we have been misrepresented as a profession. Your claim that teachers and school boards are responsible for class size increases is deliberate dissembling. We have never chosen to increase class size. We have always been the strongest advocates for a lower pupil-teacher ratio in every classroom. The economic situation which brought about the social contract and the cuts in funding to school boards has been responsible for

this, as you are well aware. To pretend that you need to control funding to prevent its further increase in the future is a serious misrepresentation.

As teachers, we are fully aware of the numerous studies that show the very real benefits of low class size. It is enormously frustrating to us to watch as the number of students per class increases year by year. In Toronto most classes are now in the high twenties and low thirties, numbers that are well above even the highest recommended for older students. We are more than willing to agree to a reduction in the current numbers, but that requires adequate funding, which is not a course of action that this government has chosen to advocate.

The hiring of non-certified teachers is yet another issue to which we take strong exception. It's not that "specialists" do not have expertise in their fields of endeavour. Of course they do. But do they have the necessary knowledge to teach? By definition, a teacher is certified when he or she has gained the qualifications, pedagogical knowledge and skills needed. These include the ability to make critical decisions which will affect student learning, to assess and diagnose the learning needs of students, to plan, develop, implement, evaluate and report. A musician may know music, but can he or she relate to all of the above? You denigrate the profession when you suggest that certified teachers are not best qualified to teach.

We know your real reason for wanting to hire unqualified personnel is to reduce costs. But we also know that the needs of our students will not be best served by hiring non-certified personnel to teach them. Apart from the fact that this move would redefine our profession, along with the loss of prep time, it would also cost the jobs of up to 10,000 teachers. This is not a principle to which we can agree, either pedagogically or ethically.

The concept of prep time is also poorly understood and therefore easily attacked. It seems to me that it does not require a great deal of knowledge of the requirements of teaching to realize that the time a teacher spends with students is only one part of a long process. Prior to instructional time, program has to be developed, lessons have to be planned, materials have to be gathered, the classroom has to be organized. After the instructional period, work has to be assessed and evaluated, discussion with students has to take place; remedial assistance may have to be arranged and contact often has to be made with parents.

These are only some of the many responsibilities that teachers have. There are also grade and divisional meetings, various committee meetings, extracurricular activities — this list is endless and participation in these things is what provides students with the professional and caring environment that enhances their learning. Most teachers work several hours a day in addition to instructional time. Prep time is only a small part of this. At the elementary level in Metro —

The Chair: Excuse me. You only have two minutes left and I don't think you're going to finish unless you speak a lot quicker.

Ms Gladstone: Okay — we have not yet achieved what we consider an adequate amount of time for preparation. Neither we nor our secondary colleagues can afford to lose any of the prep time that we have gained through collective bargaining.

Ultimately, what this legislation means for us is loss of jobs, loss of funding to the system and, most important, loss of the democratic process. You have used various forms of propaganda to denigrate our profession and to attempt to make teachers look avaricious and over-indulged. But the public is not in agreement with you. Parents are well aware of how much their children's teachers care, of how much time they put into their profession and of how successful they are.

You attempt to confuse people by providing incomplete or inaccurate information when trying to prove how badly our students compare in test results. You neglected to explain, for example, that in the Third International Math and Science Study 98% of the test questions matched the British Columbia curriculum, while only 53% matched the Ontario curriculum. Despite this, Ontario students scored only 6% lower than BC students. You ignore much important data that shows how successful Ontario schools are. You skew the results to make us look incompetent. You make every effort to make the system look broken, so that you can come along in your shining armour like a knight on a charger and fix it. Well, you can no longer sell that concept to an unsuspecting public.

Education requires money. A good education requires a lot of money. We have been doing the best we can in a system where funds have consistently been reduced. We have reached rock bottom. The inadequacy of funding is beginning to show in the reduction of services, the longer waiting lists for review of children with special needs, the decline in materials available for use, the lack of adequate maintenance and the gradual deterioration of school buildings.

This government needs to fund the education system adequately if it wants good results. The desired results will not come by reducing standards. Hiring of non-certified personnel, reducing services, such as educational assistants and student support staff, and outsourcing of jobs will not make this a better system. You will have to put back some of the money already taken out if you are sincere in your desire to improve education. Recent polls have shown that people are willing to pay for this.

Your promise to reduce taxes because that was what people wanted is based on a false premise. You asked the wrong question. If you ask anyone if they would prefer to pay less tax, the answer is likely to be yes. But if you ask the same people whether they want lower taxes and reduced services, the answer is likely to be no. This government asked the first, not the second, question. We all know that if we want good service, we have to pay for it.

I believe it is time to scrap this legislation. It will not improve the educational system — quite the contrary. It is dictatorial in its nature. It leaves too much control in the hands of the government. We cannot and will not agree to

so draconian a bill. The students we teach and the community we serve mean too much to us to enable us to allow you to ride roughshod over us in this way. The legislation is an abuse of the democratic process and we will not accept it. Thank you.

The Chair: Your time has elapsed. I thank you very much for your presentation.

ONTARIO PARENT COUNCIL

The Chair: Our next presenter will be the Ontario Parent Council, William Robson, chair. Welcome and proceed.

Mr Bill Robson: Thank you very much for the opportunity to appear here today. I am Bill Robson. I am the chair of the Ontario Parent Council. Beside me for moral support and correcting anything that needs correcting is my vice-chair, Mary Margaret Laing.

You have in the written document in front of you a quick blurb on what the Ontario Parent Council is. I will not repeat it here. I don't know if that alone will be sufficient to get you back on to your schedule, but we'll see.

To repeat, the Ontario Parent Council welcomes the opportunity in these hearings on Bill 160. As parents, our priority is obviously the education of our children.

Bill 160 represents a significant change in educational decision-making. The OPC recognizes the need for change. Parents are concerned, as you know, about increasing class sizes and lack of adequate supplies and resource support in many classrooms. They also want schools to have the flexibility to meet high standards and to respond to local conditions. For these reasons, the OPC sees merit in Bill 160's attention to the following areas: provincial authority to limit class size and increase instructional time, the legislating of school councils and differentiated staffing.

At the same time, the OPC is deeply concerned about the amount of regulatory authority that Bill 160 will provide to the provincial government. To the extent that such powers cannot be defined more precisely in the bill itself, the OPC strongly urges, as a general principle, that such regulations be established through an open and transparent process. More specifically, the OPC feels that several amendments would help to address concerns about the potential use of this authority and would increase the OPC's satisfaction with the bill.

1710

To promote the dual objectives of more resources in the classroom and increasing local input and flexibility, we would ask that provisions of Bill 160 be amended, first, to enable school councils to request reviews of regulations regarding class size and instructional time that apply to their schools; second, to give the Ontario College of Teachers an initial opportunity to define an accreditation system for staff who are not certified teachers; third, to delete the term "advisory" from its description of school councils, give school councils some resources for communication with their school communities and give

them representation on board committees; and, fourth, to take non-teaching principals and vice-principals out of the teacher unions.

Although neither budget cuts nor actual amounts of teacher preparation time are specifically addressed by Bill 160, the prominence of these two issues in the debate around the bill prompts us to offer a brief comment. The OPC supports the Education Improvement Commission's recommendation that any savings realized through changes to regulations should be reinvested in the classroom. The amendments that we are suggesting to Bill 160 are largely motivated by that objective. We would welcome a commitment from the government that resources freed up by such changes will be reinvested in classrooms for the benefit of the students.

Let me, if I may, enlarge on the background to some of these recommendations.

When it comes to class size and instructional time, parents generally see small classes as better than large ones. Particularly in areas where class sizes have been rising, the prospect of further increases is extremely unwelcome. This concern is higher when teachers need to deal with severe learning problems or other special factors that can adversely affect the instructional time they give to many of the students in their classes. More generally, parents do need reassurance that instruction time with students is given first-rank priority in school and board management.

The OPC's members believe that the current collective bargaining framework in Ontario provides insufficient safeguards against agreements that act directly or indirectly to increase class size and lower instructional time. A particular concern centres around the use of complicated and inconsistent formulas for average pupil-teacher ratios that are often starkly at variance with the situation in actual classrooms. We support clause 170.1(3)(a) of Bill 160, which gives authority to the government to regulate class size and instructional time.

In view of the variety of experience and needs across schools and regions, however, we do see a need to provide an option for local flexibility by permitting individual schools to appeal for modifications in provincially or regionally established norms, particularly if they are aimed at maintaining smaller class sizes, more instructional time or other similarly higher standards. We therefore recommend the following addition to subsection 170.1(3) of Bill 160:

"Upon request of a school council or group of councils, the Minister of Education and Training may modify the application of some or all of the regulations made under this subsection with respect to a school or group of schools."

On the subject of differentiated staffing, the OPC believes that there is a place in the education system for it. Indeed, such arrangements already exist in hundreds of schools. We would repeat that our support for differentiated staffing arises from our expectation that it can improve student learning. The OPC has in the past recommended the hiring of early childhood educators in

junior kindergarten and the hiring of personnel to perform functions such as library, career counselling and computer-related services if it can be demonstrated that program quality can be maintained and student safety ensured.

Because the recently established Ontario College of Teachers has been charged with responsibility for licensing and regulating the practice of teaching, we would urge that the college be asked to indicate what criteria they would use to certify non-teachers to assist in schools. Only if the college fails to establish reasonable criteria within a reasonable period of time would the OPC urge the establishment of a separate certification system.

There is one subsection of this bill that appeared to us to excessively open-ended in the scope it would provide for non-teachers to fill any teaching position. We would urge that subsection 170.1(5) be either restricted in its scope or deleted. The regulatory process itself should provide the necessary flexibility to deal with new or unanticipated categories as the need arises and as we develop certification processes.

Moving on to the subject of school councils, it was a source of enormous satisfaction to the Ontario Parent Council to see the legislation of school councils proposed in this bill. The description of school councils as "advisory" in subsection 170(1) was unexpected to us, however, and appears undesirable for several reasons.

First, if we go back to Bill 104, that legislation charged the Education Improvement Commission with the duty to provide the Minister of Education and Training with recommendations "on the feasibility of strengthening the role of school councils over time" and also quoting "on the feasibility of increasing parental involvement in education governance." For Bill 160 to describe school councils as advisory conflicts with this mandate: It prejudices the EIC's deliberations and pre-empts many of the recommendations it might otherwise make to the minister.

It has also been the experience of Ontario Parent Council members, both personally and in contact with school councils around the province, that the word "advisory" often means ignorable to some principals and boards. In those circumstances school council participation is unattractive to many able people who might otherwise participate, and for those who believe in the importance of parent and community involvement in promoting student achievement, this is a regrettable development.

We also want to point out that many school councils in Ontario already participate in important activities such as the selection and evaluation of principals, approving school objectives and priorities, approving spending plans for their schools and other activities that would be seen as going beyond advisory by some administrators or boards. In our view, Bill 160 should safeguard these activities and facilitate their extension to other jurisdictions. Describing councils as "advisory" would have the opposite effect. We therefore recommend that the term "advisory" where it refers to school councils be deleted from the bill.

Further on the question of school councils, a couple of observations. School councils, we have found in our

communications with school councils around the province, need resources to communicate. The OPC believes this should also be specified in Bill 160 and that the power to make regulations to ensure financing and access to school resources for councils ought to be in the bill. We therefore suggest that the passage added in subsection 80(5) be amended to read, "...including regulations relating to their establishment," — this is with regard to school councils — "composition, functions, funding and use of school resources."

Again referring to the research that the OPC has done around the province, we have found a nearly universal need on the part of individual school councils for greater board-wide networking. Such communication was part of the Minister of Education and Training's original policy directive on school councils, but it appears to be inadequate or non-existent in many areas. The OPC feels that a formal school council presence on board committees would help promote the creation of these networks. For this reason, we would suggest that subsection 104(2) be amended to provide for substantial representation of school councils on school board advisory committees.

The final point on which we would like to enlarge has to do with principals and vice-principals and their membership in the teachers' federations. The OPC feels strongly that supervisory officers, principals and vice-principals who have no classroom responsibilities, should not be members of the teacher unions. Such membership confuses the principal's line of accountability. It also impairs principals' ability to act as effective managers, since union codes of conduct may make it difficult for principals to exercise managerial responsibilities such as discipline and performance evaluation. It is also our view that membership in the unions impairs principals' ability to communicate effectively with parents regarding teacher performance.

In recent weeks a more pressing concern has come to our attention as classrooms and schools have been pressed into service in pursuit of political objectives. The OPC has received complaints from parents all over the province, and we've also seen it in our own schools and in our own boards, about partisan activities that do nothing to further the education of students occurring in classrooms and schools. It appears, in our view, that union membership has been an obstacle to many principals who might otherwise have been expected to take steps to prevent pupils at their schools being used for partisan purposes.

For these reasons, the OPC would recommend that the definition of "teacher" in subsection 277.1(1) be amended to read "...but does not include a non-teaching principal, a non-teaching vice-principal" etc as it currently stands.

Let me conclude by observing that the primary goal of any education reform initiative should be to provide quality education and equal education opportunity to all children in Ontario. We in the Ontario Parent Council are resolutely focused on the principle that the classroom should be the primary focus of education and, equally, on the principle that local input in decisions that affect individual schools is critical.

1720

With this in mind, to recap, the OPC supports Bill 160's attention to class size and instructional time, the legislating of school councils and differentiated staffing. As we have indicated, however, we think Bill 160 would promote the objectives of more resources in the classroom and local responsiveness if several amendments were made to enable school councils to request reviews of regulations; to give the Ontario College of Teachers an initial opportunity to define an accreditation system; to delete the term "advisory" from the descriptions of school councils in the bill and to make provisions for school council resources and represent them on board committees; and to take non-teaching principals and vice-principals out of the teachers' unions.

Finally, we would reiterate our request for a transparent and open regulatory process and for a commitment from the government that savings resulting from changes in the areas addressed by Bill 160 be reinvested in the classroom. Along with the changes we have suggested, those measures will provide parents with greater assurance that the reforms now under way in Ontario's publicly funded schools will promote the better education of their children.

Thank you for the opportunity to make this presentation. Perhaps dinner is looking a little bit more accessible than it was. I smell the food.

The Chair: It's not ours.

We have five minutes per caucus for questions.

Mrs McLeod: First of all, I appreciate the fact that you began your presentation with the recommendation that any savings which might be found in education be reinvested. You're quite right that that was the recommendation of the EIC, and it comes at a time when, as you may know, there are indications that the government's plan for September 1998 is to see a further \$667 million removed from elementary and secondary education. I think that recommendation is a very important one.

I've got about four questions; I don't know if I can get them all in in five minutes. I'm going to start from the back of the brief, to ask you about local input in decisions, the importance of that from the Ontario Parent Council's perspective and how you see Bill 160 as furthering local decision-making when so much decision-making power is now vested directly in cabinet through regulatory power. There are some 186 areas of the bill in which the Lieutenant Governor in Council has essentially unilateral regulatory power over education. How does that serve the purpose of better local decision-making?

Mr Robson: Going back to Bill 104, the view we expressed at that point was that with the amalgamation of school boards and now, with Bill 160 proposing to remove some of the elements from the collective bargaining agreements and so on that currently are under some control at the board level, there was a need for the strengthening of local input. The way we thought that should be accomplished was through the strengthening of school councils.

We are delighted to see the legislation of school councils in this bill. We have some experience, most of us as individuals and certainly in our communications around the province with people involved in school councils, they have often found that the process of getting a group of people — parents, staff, community members and so on — around a table to discuss issues that affect the quality of life in the school is tremendously valuable.

The problem we faced prior to this bill was that although in some boards and in some areas those councils are up and running and are functioning well, in other areas of the province they have simply not been established at all — certainly that was widely the case here in Toronto — or have been established in ways that were inconsistent with the direction that was given by the previous government when it came to the establishment of school councils. In our view, what this bill can do by legislating school councils is strengthen that critical local area input.

Of course, many of you will know that originally school boards did often deal with individual schools. It's not all that novel an idea. In our view, school councils are the right place for a lot of these local decisions that affect local individual schools to be made. That's the sense in which we offered that observation.

Mrs McLeod: Legislating doesn't necessarily mean there are going to be the resources provided for those school councils to function effectively, and the role of school councils is as yet to be determined and will be done largely, I assume, through regulation, without further public debate.

Mr Robson: May I respond to that?

Mrs McLeod: Let me ask you another question, and then you can respond to whatever part of it you like.

One of the concerns we've had presented to us repeatedly by school councils in Bill 104 and now again on Bill 160 is that as more and more decision-making is centralized in the hands of not only the provincial government but now in cabinet, the parent councils don't feel as though they will be able to make their voice heard. As frustrating as it may be to deal with the local school board, it's even more frustrating to try and deal with Queen's Park. From their perspective, the amount of centralized power in this bill seems to remove decision-making even further from them.

Mr Robson: To start off with your point about resources for school councils, that is why we suggested that the list of regulations or areas to be dealt with should be extended to the question of funding for school councils and access to school resources — we're talking about ordinary stuff here like photocopying and so on — access on reasonable terms, obviously.

It might be worth observing as a footnote that in places where funding for school councils has been provided as part of a per student grant formula, it's typically very small. It doesn't need to be big. School councils are very low-overhead operations. Obviously, there are no honorariums paid to the people involved. It's simply a matter of being able to pay for your paper, your copying, your staples and your phone bill. The question of

resources is on our mind, but I hasten to add that it's not a big thing we're asking for here. School councils don't need a lot of resources; they need a small amount.

The question you asked with regard to making your voice heard really brings us, as far as our own priorities on the parent council are concerned, to this question of putting the word "advisory" in the bill. Some school councils, it is true, have found their existence to be an exercise in frustration because of whatever obstacles they have faced to being heard or having their views effectively acted on. Other school councils, though, have a quite wide range of activities, and that's very rewarding. There is research on this that seems to indicate that it's a very valuable thing for student achievement. We're worried that the use of the word "advisory" might preclude some of those things. We'd like it taken out. We think if school councils are not prejudged to be only advisory bodies at the beginning, some of these things you're referring to can, in the fullness of time, become important activities for school councils.

Mrs McLeod: Where does that leave school boards?

Mr Robson: The fact is that school boards have been getting bigger and more distant from people for quite some time. We're ambivalent about that, as I think it showed in the presentation. Our answer is to look at the school council area and see if we can re-establish the local input right where it counts the most: at the school level.

Mr Wildman: Thank you for your presentation. I noted two matters in particular that I'd like to ask for some further clarification on.

You expressed some concern about the regulatory powers under the bill, which are quite extensive. That has been a recurring matter raised by both supporters and opponents of the legislation who have appeared before the committee. You suggested it might be better if there were some sort of transparent process for changes in regulation. I certainly agree with that. Would it be better to have it actually in the legislation, so that if this government or any future government or minister wished to make changes, if the powers are to be centralized here at Queen's Park, at least there would have to be debate in the Legislature among the elected representatives of the province on any such changes?

Mr Robson: In the presentation I mentioned the desirability of trying to put some of these things into the legislation. In our examination of the bill and looking at some of the types of problems it addresses, we weren't confident in coming forward and presenting a long list of areas that we think would be susceptible to that sort of treatment.

That leads me to the second point that I think is important, which is the whole question of flexibility. Class sizes — I know this wasn't directly your point, so I'll be brief.

Mr Wildman: Actually, that was the next one I was going to move to, so go ahead.

Mr Robson: There is tremendous variation, and often for a good reason, in these things. Our concern is a sheer overload problem. There are limits, either in legislation or

regulation, to what you can effectively manage from Queen's Park. The way we thought it might be best to address that was to offer school councils the ability to trigger reviews, if you like, of these things. We are concerned about the possibility that some of these things can be affected by collective bargaining agreements in ways that demand some sort of attention, but the issue of flexibility made us think that the best way to address this problem is to go to the local school and give them the option of asking for a review when local circumstances make it desirable.

1730

Mr Wildman: Parents and, I suppose, students at the secondary level and teachers should have input into changes in class size. But as my colleague indicated, that then brings forward the whole question of financing. If you're going to lower class size or limit class size, you have to have adequate resources to make that possible. We don't have the funding formula yet.

I have two questions. You mentioned the EIC's recommendation for reinvestment. Do you think it would be appropriate for the government to make a commitment to reinvest whatever savings come out of restructuring in education back into the education system? That might, parenthetically, help to avert the confrontation that seems to be building this week. Should there be a commitment for reinvestment made clear, and should the funding formula be available to all concerned before this legislation becomes law, so we know exactly what the plans of the government are if it is to have the kind of control over education that the bill would give it?

Mr Robson: First, as regards the EIC's recommendation that savings as a result of the restructuring be reinvested in the classroom, yes, we support that.

With regard to the funding formula, the OPC has kept itself abreast, as best it can, of the developments in this area. Certainly there are aspects with regard to the way the funding formula is looking, the per student basis of it, that we regard positively, but we would like to see more about it.

To make what is perhaps an obvious point, the split in Ontario between provincial and local government funding for education means that you never see the picture until you see all the picture. There were some numbers cited with regard to the provincial budgetary contribution, but until we see the local contribution, obviously we're not in a position to say anything about that. I think it's fair to say that parents would be reassured if they knew more about the money.

Mr Wildman: In that regard, the Treasurer has indicated two things. The bill of course gives the Minister of Finance control over mill rates. He has said that at least for the next year mill rates will be frozen, so we know what the figures are going to be in that regard if he maintains that commitment. What we don't know is what the grants will be.

The question is, if the government is going to reinvest, we need to know what the grant levels are going to be and what different kinds of grants there are going to be. We

don't know that yet either. If the government isn't going to take \$1 billion out — that's the other thing the Treasurer said, that he didn't think the government would have to take that amount out — we need to know, are they going to take anything out, is it \$667 million or is it something else, or are they not going to take anything out and reinvest it all? Surely we should see that before this becomes law.

The Chair: Mr Wildman, your time is up. We're moving to Mr Smith.

Mr Smith: Thank you for your presentation this evening. One issue that's been recurring fairly regularly with respect to the differentiated staffing issue is the particular section you highlighted, section 170.1(5), the "no presumption" clause with respect to this issue. Could you run by me again the concerns, so I gain a better understanding of your organization's position on this issue, a little better sense of the concerns you have with it?

Mr Robson: I understand that the intent is to not hedge around with preceding definitions, what might be covered. But our concern on reading it, without as much access to legal expertise as we might have liked, was that it appeared to be a very open-ended thing, that perhaps in the interests of making the borders flexible, something extremely general had been written in. For that reason, we have asked that either it be made more specific, so that it's clear what might or might not be covered, or that it be deleted, because it appeared to us as though the regulatory authority conveyed some flexibility to deal with these categories that might not be envisioned off the top.

Mr Smith: In their recommendations to this committee, the Ontario Public School Boards' Association recommended against legislating advisory school councils. Their view was that it's inappropriate or that you cannot legislate voluntarism. How would you respond to that recommendation?

Mr Robson: Who made that recommendation?

Mr Smith: The Ontario Public School Boards' Association. Basically, they indicated that they could not support or recommended against legislating advisory school councils.

Mr Robson: On volunteer grounds — well, I haven't seen the brief, so I'll have to be cautious in how I comment. School boards once were voluntary, and they seemed to work. School councils now, in many areas, work quite well. The main obstacle, as we see it, to their more effective functioning is that because there is no obligation for the board to even cause them to exist or for the principal of a school, for example — I'm not singling out principals here, but this is an example — to constitute it as it is supposed to be constituted, or for a council, once up and running, to have its advice listened to, this is a discouraging thing for potential members of school councils who would have a lot to contribute to their local schools.

We would see the requirement to have a school council in place and the formalization of roles for these councils as an enormous encouragement to enable people to come forward. This isn't all that exotic an idea any more. Such

things do exist in other jurisdictions. Our sense is that they work quite well. We know of well-functioning school councils in Ontario, and what bothers us is the areas where those things aren't working so well. We'd like to see that beneficial experience extended.

Ms Mary Margaret Laing: Could I also speak to that? Two things are relevant here. One is that if you look at research data on school councils in areas where they have been legislated, there are data to support the fact that they work very well, thank you very much, and bring, as Bill says, remarkable value to the process.

The second thing that I think is quite important is that we have lots of examples in our own jurisdictions, both locally and province-wide — I'm thinking specifically of hospital boards, for example — which are legislated and are volunteer and work very well.

Mr Froese: Your group wants to have more parental involvement in decision-making at the local level in the schools. I assume that's the case, because you want the "advisory" name taken out — not just advisory; you want more say.

In conjunction with that and in conjunction with the reinvestment of the dollars saved in education, do you see that as one and the same? If you get reinvestment but you don't have a say in what happens with it, are you concerned about that? If there are reinvestment dollars but you might still be in an advisory role, would you want to see — obviously, from your recommendation, you want to see both. How do we ensure that the dollars are used efficiently, that we reinvest those dollars into the classroom? That's where we have a question, the ability of the boards to ensure that those dollars go directly into the classroom. Could you just give me a comment on that?

Mr Robson: We would see local input as a key ingredient. There's nobody better informed about what is needed than the people who are on the spot. We do feel ambivalent, as I mentioned before, about a process whereby — perhaps it's inevitable — school boards become bigger, more remote, the world grows, communication problems increase. It seems to us, especially in regard to some of the regulatory authority that is going to be taken on here, that the need for local input becomes very great. That is a major concern of ours, because we see it as an important ingredient in making sure that the resources are used properly and that local school communities continue to be vibrant.

On the Ontario Parent Council, we often focus, because we tend to adopt a troubleshooting frame of mind, on areas where school councils aren't working well, in trying to provide some encouragement and some limited services to them. But in the process of doing that, you find out that there are a lot of school councils that are working well, where their opinions are being sought on all sorts of things that affect resources in the school. We think that's a tremendous thing and we'd like to see it more widespread in the province.

Ms Laing: If I could also comment —

The Chair: No, I'm sorry. We've gone over our time. I thank you both very much for your presentation.

1740

JORDAN LANNAN

The Chair: Our next presenter is Jordan Lannan, student. Do you want your parents up at the table with you, Jordan?

Mr Jordan Lannan: No, that's okay.

The Chair: That's good, then. You've got 10 minutes.

Mr Lannan: Good afternoon. My name is Jordan Lannan. I am 14 years old, a grade 9 student at North Toronto Collegiate. North Toronto has a great music program, one that I am involved in, specifically in the symphonic band, in which I play the alto saxophone. I value music as a source of education, as well as a way to learn teamwork, responsibility and other parts of life that you just can't learn sitting cramped behind a desk.

I also have an interest in politics, inside and outside of school. Inside, I am part of the student council as my home form representative. Outside of school, I am involved in a volunteer organization called Free the Children. However, I represent no group or organization. Also, I helped to mobilize students for some of the walkouts that occurred.

I greatly appreciate the committee's consideration of my views on this subject.

I am here today speaking to you because I disagree with the proposed Bill 160. As well as a disagreement with this bill, I also believe there should be quality consultation of students regarding proposed education changes.

First, Bill 160, titled the Education Quality Improvement Act, will damage, not improve, the education system's quality. For one thing, the government is going to be taking \$1 billion out of education. It would most likely be impossible to actually improve anything when you have \$1 billion less money to invest in quality. The education system currently needs all the money it can get for program funding, and taking away money just won't solve anything. Besides, taking away money might mean schools sacrificing "frills," as they are called by the government, like music, drama, visual arts and other such programs that are necessary for a student's learning.

It seems to me impossible to be able to improve anything if you have \$1 billion less. Unless you are absolute geniuses, I really honestly don't see how you can put any quality improvement in it if you have \$1 billion less to spend. No matter how bright you are, I don't think you are geniuses, and I don't think I'm a genius. I don't think anyone in this room right now could figure out how to increase quality in education financially.

I wonder, once you've saved this money by hiring uncertified teachers, firing professionals and cutting extracurricular programs, just who does this saved money go to? Not the students, not the school boards, not the parents, not the teachers, not anyone. Who does it go to? You? I hope not. In the long term, who really benefits from this kind of cut?

As well, I see certified teachers teaching classes as something that is necessary, something that cannot be

flushed down the toilet as soon as a tax cut arrives. Bill 160 will expand the use of non-certified teachers replacing professional teachers. Usually, if one has not been certified in the teaching profession, it is either because of a lack of interest or a lack of capability to teach properly. The government has no right to put in teachers like this just to save money.

But what bothers me most about Bill 160 is the amount of power this government puts on itself, in two aspects.

To begin, there is not nearly sufficient consultation with students, as opposed to the amount of time the government is giving to teacher unions. We, the students, are the generation that is going to take care of you guys, so it really doesn't make sense to me that you don't want to know what we think. If you were trying to turn us into morons so that we would be the cheap labour class and the private school students become the executives and the politicians, this bill would be a very good first step. However, it is not going to be that easy. There have already been over five student protests and walkouts this year.

It seems to me that this government has a grudge against anything that is remotely local, maybe because, typically, the more local you get, the more left you get, and this government has a vendetta against the left. I wonder what it will take for the government to understand that its responsibility is to govern for the people, not in spite of the people, or for a certain fraction of the people.

The government has a responsibility, when changing education, to find out what the students think. You need to find out what we think. If we disagree with this bill, I think it should mean so much to you. We're not going to lose any jobs by this bill. We're not going to lose any money or anything. We have no special interest in disagreeing with this bill. We have no hidden agenda or anything. You don't even need to fear us. If we disagree with this bill, then we disagree with it. It's a free country. Not only is it a free country where you can say what you want, but what you say should be respected by the people representing you.

If the government really thinks that students should not participate in walkouts, then maybe you should talk to us once in a while to see what we think. I imagine you'd be very surprised.

Second, it is not only the bill itself that threatens education; it is the fact that a centralized government will have complete control over education, and that scares me. You will be able to do whatever you want, whenever you want, and that really scares me. The fact that this government is taking out its ultra-right-wing rampage on the students bothers me, because I personally do not think this is the way to run a stable province or education system. The government has no right to do this kind of thing.

In conclusion, I believe that Bill 160 should be withdrawn and that any further changes to the education system require the accurate, sufficient consultation of all students. I would like to leave the committee knowing that they know you cannot buy and sell the education system,

no matter how much money you have or how much money you are willing to save. The government must understand that education is not merely a tool to make tax cuts off of, and that you cannot continue in this pattern; otherwise we, the students, will be on your backs. This is not a threat, mind you; it's a mere fact. We will be on your backs if you do not listen to us and consult us and if you do not withdraw Bill 160. Our education, unlike many businesses, is not something to be downsized at the mere snapping of a finger. Thank you for your time.

The Chair: We have about 40 second per caucus.

Mr Wildman: Thank you very much for your presentation. I really appreciate your taking the time, and I understand your concern about consultation.

I'd like to consult with you now specifically about what you said about your school and the band you are a part of. One of the things the supporters of the bill say is that it will make it possible to bring so-called experts into the classroom to teach students, rather than teachers. If it were possible to bring a great jazz or classical saxophonist in to instruct you, wouldn't that be a good thing?

Mr Lannan: Sure it would, but it won't be a good thing if the government and the supporters of this bill are going to claim on the one hand that they're bringing in experts and then on the other hand they fire professional teachers who have spent most of their life being with students and teaching, which is their passion, and bringing in uncertified teachers. It really doesn't seem to me to be —

The Chair: Thank you. We'll move on to Mr Froese.

Mr Froese: On behalf of the government, I'd like to thank you for taking your democratic right in expressing your concerns and your opinions.

Mrs McLeod: I also want to thank you for being here. I have a sense of the frustration you're feeling, as I think many students do, that they're not consulted and that their views are not counted because they are not even asked, in the first place, what their views are.

I heard the government members gasp when you used the \$1-billion figure. I just want you to know that you are the second person today to use that figure. The president of the Ontario Public School Boards' Association for this province said that she had seen documentation that the plan was to take \$1 billion out of education, so I want you to know that you're in company that's seen some evidence.

Mr Lannan: It was also on the CBC news too.

Mrs McLeod: And beyond even the CBC. You're in good company.

The Chair: Jordan, thank you very much for the work that went into this presentation.

1750

RICHARD LUFT

The Chair: Richard Luft. Good evening, Mr Luft. I don't want to tell you how to make your presentation. You are not going to make it in 10 minutes, but you proceed as you see fit because at 10 minutes I will be cutting you off.

Mr Richard Luft: That's fine. Thank you very much. I particularly appreciate following in Jordan's wake.

I was informed last night by a telephone call from Mr Berry that I could testify at this particular committee tonight if I so wished. I wasn't expecting that to happen, so what I'm about to say is not as tempered as I would like it to be.

The second thing I want to point out is that I note I am the head of history at Applewood Heights Secondary School in Mississauga. I simply indicate that for the information of the committee. What I say does not necessarily reflect the views of anyone else in that school.

After the telephone call last night I sat before my computer and I pondered the day that lay before me. I would be at my school, Applewood Heights Secondary School in Mississauga, by 7:30 am. I would inform my principal and my federation branch president that I would be speaking before the committee taking counsel on Bill 160 this evening. I would make Xerox copies of a Globe and Mail article to pass out to my students. This because I had promised them some sort of an explanation in the event that teachers would leave their classes.

I would teach a community service class, a new initiative at my school designed to impress upon the students the importance of serving the community and of championing the weak and the disadvantaged. I would work with a faculty of education, University of Toronto teacher whom I have agreed to help along the way as she seeks formal certification as a teacher in the province. I would teach a grade 10 class in Canadian history, wrapping up a period in Canadian history commonly referred to as the Laurier era, or the turn of the century. I guess we're on the verge of another turn of the century. I would teach a grade 11 society, challenge and change class.

I would see the principal about what we might have to do to alleviate the heavy workload that one of my colleagues has assumed because of a reorganization in timetables that has taken place because of a teacher taking maternity leave. I might grab 20 minutes for lunch. I would try to do some evaluating of students. I would spend some time with students who are having problems for a host of reasons, such as struggling with English as a second language, poor work habits that cripple their ability to succeed, personal and behavioural problems caused by difficult family situations.

I would go, as I did, to a branch meeting of my federation to be updated on the protest that I shall most willingly undertake when I am so instructed. Finally, I would pick up my wife and come down here to the Amethyst Room to tell this committee why this government has incurred my most bitter enmity.

Perhaps the committee is somewhat startled by the animus that I bring to my presentation. I can assure you that I am. Over the years, like many teachers in this province, I have carefully cultivated a persona that radiates calmness and rationality. I have tried to avoid demonizing those whom I encounter in public or private spheres. But to continue the metaphor and to pay heed to the family lore that I was taught, when you smell sulphur

and you hear the clack of what sounds like a cloven hoof on the terrazzo, then you'd better have your wits about you.

First of all, I have a government that proposes to take to itself enabling powers — that is a sinister phrase in the history of western jurisprudence — of the most sweeping scope. Along the way, it seems intent on destroying local school boards as an effective organ of local government and on centralizing control of this province's educational system in the hands of the minister and the Lieutenant Governor in Council. It has always been a tenet of democratic politics that local government is most responsive to community needs, save when grave social and economic injustices are being perpetrated in that community by virtue of blind and wilful prejudice and ignorance. That is the only justification that warrants suspension of the local authority.

Is that what has been happening throughout this province? Had the boards somehow been captured by ideologically driven factions that wreaked their will and their personal theologies upon a mute and helpless public? I think not, but I do suspect that there are such factions — and I use that word most deliberately — afoot in this province and that they believe they can do what their creed impels them to do. After all, close to 30% of the eligible voters of this province voted for them just over two years ago.

This faction creates geographically huge wards which it will be impossible for those elected to represent adequately. It proposes to fix a \$5000 limit on the stipend that a trustee can receive. It strips trustees of any real input into matters affecting the financing of their people's needs. And of course it justifies that destruction of the common good in the name of common sense.

Then it turns its attention to the teachers' federations. It prefers to call them "unions." In Bill 160 it arrogates to the minister and the Lieutenant Governor in Council sole jurisdiction over such issues as teacher prep time and what constitutes a teacher. It says that its reduction of teachers' preparation time will allow teachers to spend more time in the classroom, but when you examine the rather typical day that I described in my opening remarks, it should be obvious that my work is far more complicated and multidimensional than this bill seems to understand.

Isn't it abundantly clear that if you increase the number of hours that I spend in formal class work, you literally rob my students of the time that I require to serve their particular needs? You increase my evaluation load, you increase the number of classes for which I am responsible, you multiply my paperwork and, in the process, deprive me literally of the time that I now use to meet with my students and carry out other tasks associated with the sustaining of the common or public education system.

But when I or others say this or invite government officials to live with me for a couple of weeks — not to stay with me at the school for five or six hours a day — but to live with me so that they might get a full taste of what it means to be a teacher, I am met with an invincible incomprehension — medieval theologians called it

"invincible ignorance" — that is absolutely determined to push its agenda. It is as if an attending physician should yield to any charlatan or quack who rides in and proclaims he has exclusive rights to the panacea that will cure all ills.

That is why, unfortunately, increasing numbers of people in my profession believe that this bill has a terrible Orwellian ring to it. It is named the Education Quality Improvement Act, but many of us do not believe that it's about improving the quality of public education at all. There is this conviction, approaching in intensity the zeal that the faction brings to its labour, that it's really about destroying the common education system.

We suspect that the system will be underfunded. The Treasurer says that he never intended to take another \$1 billion from education, but we think he's merely being the casuist here, bending his public pronouncements to suit the current situation. We believe that the system may lose as many as 10,000 teachers as the minister and the Lieutenant Governor in Council pursue their theologies. We suspect that programs for the disadvantaged will be slashed or, to put it another way, there could be so little revenue that a school will only be able to offer the most basic of curricula or one stripped of frills such as music, art and drama. Then the hue and cry will go up, the cry that the public system is failing even more than in those crisis-ridden days when John Snobelen rode herd over it.

Parents, driven by anxiety for their children's nurturing and future, will begin to demand charter schools, where they can be assured that their children will receive fuller opportunity. Those with the personal resources to afford access to such schools will send their children there. The children of the poor, of immigrants, of single-parent families will be consigned to what their local communities are able to muster or are allotted.

I am willing to drop this conspiratorial approach to the matter if the Premier and the Treasurer would but deny my charges publicly and, of course, because I am so suspicious, offer all their private wealth as a surety that they are not being casuists when they make that pledge.

What do I hope with regard to Bill 160? It is abundantly clear that the government cannot expect the federations to surrender hard-won professional rights without a major confrontation. I regret that deeply, by the way; it brings me no cheer. Granted, it is contemptuous, perhaps fearful of the union movement, but I'd like to think that there are enough pragmatists in their ranks to make them sense that something might be loosed here that will do major damage to the social fabric of this province and irrevocable damage to their hopes of being re-elected.

I hope that the pragmatists in that crowd will start challenging the ideologues on this matter and urge them to withdraw the offending sections of the bill, tear out those provisions that threaten the wellbeing of the province's children, the efficacy of local school boards and the morale and professional standards of this province's teachers.

But if the government persists in behaving like a faction, then it can only expect a reaction that is extra-

governmental, a protest from teachers and all who support them that will eventually lead to its defeat. But, sadly, along the way perhaps, something monumental will be badly damaged as this government lurches its way to that next election, and that will be the public education system of this province and the children it serves. It's even possible that the reputation and honour of this province's Parliament will be seriously besmirched by the passage of such a power grab. Surely it doesn't take a Solomon or a Queen of Sheba to see how fraught with peril that consequence is and will be. I thank the committee.

The Chair: Thank you, sir. Your timing was excellent. It was right on the 10 minutes. Thank you very much for taking the trouble to come before us.

1800

ONTARIO ASSOCIATION FOR COUNSELLING AND ATTENDANCE SERVICES

The Chair: We have one last presentation of the afternoon or evening: the Ontario Association for Counselling and Attendance Services, Steve McCann, chair.

Mr Steve McCann: Thank you, Mr Chairman and members of the committee. On behalf of the Ontario Association for Counselling and Attendance Services executive and its membership, I want to thank you for the opportunity to make our presentation here today. In listening to the presentations that preceded us, I think our topic of conversation in this last 10 minutes before your break is probably the least discussed issue in all of Bill 160, and it's one that's very deeply buried within the bill, but it's certainly of issue and importance to us and that's what brings us here this afternoon.

In addition to chairing the OACAS habitual absence committee, I am also an attendance counsellor social worker with the Wentworth County Board of Education. I would also like to introduce Jill Elliott-Brennan, who is a member of the habitual absence committee and a counsellor with the North York Board of Education.

Ms Jill Elliott-Brennan: The Ontario Association for Counselling and Attendance Services is a provincial organization which represents counsellors whose job involves working with students, schools and families to promote regular school attendance. The purpose of the association, which was founded in 1954, is to encourage attendance counselling services throughout Ontario. Our remarks during this presentation deal solely with the government's recommendation to repeal section 30.5 of the Education Act and replace it with the amendment found on page 21, item 12.2 of the consolidation of acts affected by the Education Quality Improvement Act, 1997. This particular section of the Education Act, 30.5, deals with habitually absent students, and we support the recommended changes.

Mr McCann: As outlined in section 25.1 of the ed act, every school board shall appoint one or more attendance counsellors for the purpose of enforcing Ontario's

compulsory school attendance laws. In this province, all children between the ages of 6 and 16, unless legally excused, are expected to be involved in some form of educational program. I think historically governments of Ontario have supported the philosophical belief of the need for compulsory school attendance laws. In fact, I would argue that most people, if you talk to them on the street, would support the belief that kids should be involved in some kind of a school program and that our young people need to be in a school program in order to develop the necessary skills that will make them the leaders of tomorrow.

Participation, involvement and regular attendance in an educational program is an important aspect of any child's schooling. Students who are persistently absent from school often experience academic failure, school frustration; they do not develop appropriate social and problem-solving skills. As academic frustration increases, students often become more isolated and alienated from the school community and are at greater risk for dropping out of school.

But what do we do with these kids who are of compulsory school age and not attending school? That's a question that's often asked of us as attendance counsellors and social workers in the school. Some people would argue that students who are not regularly attending school are not hurting anybody but themselves: just leave them alone, there's no problem. Just leave them be. I think that this particular viewpoint is naïve and uninformed. Longitudinal studies on adult outcomes of habitual absence paint a very unsettling picture.

One study found a significantly higher incidence of anti-social tendencies, low job status, unstable job records and social assistance dependency among adults who had been habitually absent as children. Another study found that habitual absence was one of the childhood symptoms that most reliably predicted an elevated rate of anti-social personality and alcoholism as an adult. A third study has found that habitual absence in secondary school was associated with a much higher incidence of alcoholism, marital problems, criminality, irresponsibility as a parent and family violence.

In the case of family violence, males who were habitually absent in secondary school were nine times more likely to be assaultive of their partners or children in comparison to the normal population. The studies I'm referencing are cited in the handout that has been distributed, so we know empirically that young people who are consistently truant from school are more likely to experience social, personal and financial problems as adults.

Ms Elliott-Brennan: But what of the young people themselves? In 1990, the London family court clinic studied a group of young people between the ages of 12 and 16 who had been found guilty under the Education Act of being habitually absent from school. The researchers found this group of young people were not the Huck Finn type of kid who decided to skip school for a day and go down to the fishing hole. This group of youth was experiencing significant family, personal and social

problems. They were often involved in drug use and other forms of criminal behaviour in their community, and many had problems with violence. What the researchers discovered is that habitual absent behaviour is often an indicator of other significant problems the young person is experiencing.

For several years legislation pertaining to habitual absence, legislation that should enable student attendance counsellors to enforce compulsory attendance laws and offer assistance to habitually absent students, has been unclear and confusing. In 1983, when the Juvenile Delinquents Act and the Child Welfare Act were repealed and replaced with the Young Offenders Act and the Child and Family Services Act, the Education Act was not updated to be consistent with these new pieces of legislation.

Because of this, habitual absence legislation is currently confusing, often misunderstood and interpreted in a variety of ways. Because of this legislative confusion, judges in many communities are refusing to allow cases of habitual absence into their courtrooms. Other judges interpret the Education Act, particularly section 30.5, in different and often opposite ways. In several Ontario communities compulsory school attendance laws are not being enforced.

In January 1996, the office of the Chief Judge, Ontario Court of Justice (Provincial Division) reviewed a variety of findings in cases involving habitual absence. In recognizing the inconsistency, confusion and discrepancy of findings across Ontario, the Chief Judge's office stated, and I paraphrase here, "Taken together, Justice Campbell's decision and various other cases have the apparent effect of rendering subsection 30.5 of the Education Act practically impotent."

School attendance counsellors do not use court intervention as a first response to habitual absence behaviour. Counsellors work with students, families, school staff and various community groups in an effort to understand and resolve the student's problems. In most situations the school attendance problem is resolved and the student returns to school, but in circumstances where young people are unwilling to work towards possible solutions, the court option must be a viable alternative. Many of the young people with whom we work require a bottom line. At this time in Ontario, a bottom line does not exist.

Mr McCann: In an odd way all three political parties have had direct influence and involvement with this amendment. It was Dianne Cunningham's questions in the House in 1994 that led us to meet with David Cooke, who was the Minister of Education and Training at that time. A group of us met with Mr Cooke in September of that year, and I'll never forget he asked two very important questions. He said, "First of all, how often do you take students to court?" and "Does it work when you take them to court?" We didn't have a really good answer for him, but they were two very important questions.

So what we did is we went out and accessed the Use of Court Survey that was done by Gary Diamond in 1993 as the provincial school attendance counsellor, and the

results of that study were really interesting. I just want to share a couple of the highlights.

In 1993, there were approximately 1.2 million children of compulsory school age in Ontario. Of those, over 18,000 students were referred to the school attendance counsellor in their home school board. Of those 18,000 who were referred to the attendance counsellor, only 439 students and 42 parents were actually taken to court.

Of those 439 students taken to court, only 90 students were returned to court because of their failure to comply with court orders. To me that means court intervention was effective in almost 80% of the cases. To this day, I appreciate Mr Cooke's questions, because it caused us to go back and do our homework and to be able to prove that, yes, court intervention is effective in 80% of the cases and it isn't something that is used as a first response when kids aren't attending school.

Another significant development in this issue occurred in February 1997, when Rick Bartolucci, the Liberal MPP from Sudbury, introduced his private members' bill recommending amendments to the Education Act, specifically section 30.5. Now the Conservative government has come forward with their own recommendations.

In the package of material that we have distributed, you will notice that our association has proposed two options. The first one we like to call our Cadillac version and that's got everything in it that we want, everything but the kitchen sink. The second option is more what has been proposed by the government.

In summary, we believe that if government supports the concept and the philosophical intent of compulsory school attendance and truancy is perceived as a symptom of a young person's distress, boards of education, community agencies, courts and government must work cooperatively to resolve the problems affecting our young people. If we don't resolve the problems of our students now, research shows us that we pay a cost when they become adults.

The Ontario Association for Counselling and Attendance Services supports the proposed legislative changes to section 30.5 of the Education Act. We believe that this change is needed in order to create a more effective, efficient and caring system for habitually absent students and their families in Ontario. Thank you for this opportunity to share our thoughts, our ideas and observations.

The Chair: The 10 minutes are up. I thank you for attending and assisting the committee today.

Mrs McLeod: Mr Chairman, on a point of order, because obviously it's important for us to have heard from these people and they have a couple of very specific recommendations in an area where I think there is three-party agreement that there needs to be some amendments to the act, I'm wondering if the parliamentary assistant might be asked to give the committee a report on option A versus option B or at least bring into the ministry recommendation as to whether Option A could be considered as a further amendment.

The Chair: I'll bring that to his attention.

Mr Wildman: I would agree with that, because all three parties considered change and it hasn't happened.

The Chair: Fine. Thank you very much. The committee will now adjourn until 7 pm.

The committee recessed from 1813 to 1900.

The Chair: Good evening, ladies and gentlemen. This is a continuation of the justice committee's consideration of Bill 160. It is traditional to wait until all three caucuses are represented, and I'll therefore take a little time reading off a list of written submissions that we have received, and then we will hear our first presenter. They will get their full 30 minutes, I can assure you, but I'll take this opportunity to read this while waiting for someone from the NDP caucus to attend.

These are written submissions received and distributed to the committee this day from parents of St Nicholas Catholic School, Scarborough; Brian Tuddenham, West Hill; Dorothy Thomson; Juanita Rathbun, St Catharines; and parents representing 10 schools in central Etobicoke.

ONTARIO FEDERATION OF LABOUR

The Chair: I'm sure Mr Wildman will be attending in a moment; therefore, I think we should proceed. All members should have received a copy of the written submission of the Ontario Federation of Labour. Ms LaValley, if you would introduce everyone who will take part in the presentation, I will start clocking the 30 minutes.

Ms Ethel LaValley: First of all, on behalf of the Ontario Federation of Labour I'd like to thank the committee for taking the time to receive our submission on Bill 160. Our organization represents 650,000 members in over 50 unions in the province of Ontario and is the largest provincial federation of labour in Canada.

Joining me this evening is our education director, Sandra Clifford, and Janet Koecher, who unfortunately was unable to get standing before the committee, and we're very pleased to have her as part of our delegation this evening. As a result of this, my presentation will be shorter, and Janet will do a verbal presentation, so I'd like at this time to turn it over to Janet.

Ms Janet Koecher: First I would like to thank the Ontario Federation of Labour for giving up some of its valuable allotted time at these hearings to allow me an opportunity to speak. I had applied a few weeks ago but, like some thousand other individual and groups, was not accepted to speak. I might add that the only reason I am here is that the OFL noticed an article in the Toronto Star in which I criticized the selection process for speakers at these hearings. By inviting a number of groups to participate who did not even apply and by excluding parents such as myself, it appears that the committee did not want to hear from us. So I got here whether you wanted me or not. Unfortunately, the newspaper couldn't feature all the other parents who were turned down.

If I can sum up how I feel about Bill 160 in one word, it's this: scared. I have two daughters in school. My eldest is seven and in grade 2; the youngest is four and in junior kindergarten. I have a huge interest in seeing that this bill does not get passed as is. I don't want to spend the next 13

years — the period of time that my children will be in the system — scared.

There are many things that scare me about this bill, but I will tell you about just three.

I'm scared of any piece of legislation that hands control of our education system to a group of bureaucrats who have likely not been surrounded by children in a very long time. I don't believe these are the people best suited to make decisions about the education of my very young children. The existing structures of local school boards and elected trustees, trustees who know the needs of the students in their wards and are sensitive to the issues in their wards, will be powerless with the passing of this bill.

How can a Minister of Education know what is best for my children in Toronto city centre while at the same time being in touch with the needs of the other 2.1 million school children in the province? He or she can't, and this is exactly where school boards and trustees have fit in. Since my elected official, the school trustee, will no longer have an effective voice, it means that as a parent I won't have one either. After this bill is passed, changes will be made by regulation, without any public input and without any debate. Giving this kind of power over the education of my children to anyone is frightening indeed.

I'm scared because Bill 160 will allow uncertified individuals to masquerade as teachers. The idea of hiring content specialists to teach children is ludicrous. Teaching is more than imparting information; learning is more than simply hearing content. I want teachers teaching my children to care about and understand the whole child, not just the subject matter. I want teachers who will teach my child and not someone who will teach music or computers or reading and writing. Specialists tend to work well with people who are comfortable with the subject matter. It's knowing what to do with the others, the ones who find it more difficult, that is critical, and this is something that teachers are trained to do.

I feel comfortable knowing that my children's gym teacher will plan his class for whatever age group he is teaching. Would I feel as much at ease releasing my four-year-old into a gym class led by someone who has had no educational training? I don't think so. I also feel comfortable knowing that because of her teaching certificate, my children's music teacher is able to gauge the strengths and weaknesses of each child's learning ability and also knows that every child does not have the ability nor the inclination to be a musician and doesn't try to make them into one. It would be scary for me indeed to send my children off to school each day to try and learn from people who are not teachers.

I'm also scared about the concept of school closures or transfers. Our school is not just a building where our children go for a few hours a day; it's the focus of our community, and in this I'm sure it's not unique in Ontario. We attend events, hold dances, fund-raise together. Children and parents alike forge friendships. It is a community, and if for some reason our school was deemed inefficient or no longer cost-effective to run, this community in effect would be dispersed. That would be a

tragedy. Cabinet doesn't understand the intricacies of community and should not have the unilateral power to destroy such a community.

In closing, I'd like to say that my children deserve better than Bill 160. They deserve an education bill that is not at the mercy of politics, one that makes sure that teachers are teachers and one that doesn't run their education like a business, because it isn't one.

Ms LaValley: Ontario Federation of Labour members live and work across Ontario in all regions and economic sectors, including the teaching and non-teaching professions in the public education sector. Our interest in the public education system stems from our role as representatives of our affiliated members who work in the sector, as well as our roles as taxpayers and as parents with children in the public school system. It is with all these roles in mind that we present this submission here today.

The stated objective of the government in introducing Bill 160 is to ensure the highest quality of education in the most cost-effective manner, but as we examine the bill, we have to come to the conclusion that there is another agenda at work here. The true objective of this government appears to be to remove school boards as players in the control of education finance, to neutralize the influence of teacher unions on educational policy, and to concentrate control of education spending in the hands of the minister.

This process began in April of this year with the passage of Bill 104, the Fewer School Boards Act. Bill 104 provided for the amalgamation of the majority of Ontario school boards, reducing the total number of boards by about 100. The estimated annual cost savings resulting from these amalgamations amounts to roughly \$150 million.

Bill 104 also established the Education Improvement Commission to oversee the transition from the old school board system to the new system of school board governance. In response to a request from the minister last year, the EIC issued a report entitled *The Road Ahead*. This report made a number of recommendations not about school board amalgamation transition issues, which is the commission's legislated function, but about the terms and conditions of employment of teachers. Many of these recommendations found their way into Bill 160.

Bill 160 completes the process of school board amalgamations set out in Bill 104. It deals with other aspects of the impending school board amalgamations, such as governance, finance, labour relations, and matters related to instruction in Ontario's schools, and makes amendments to the Education Act in these regards.

1910

Bill 160 purports to be transition legislation similar to Bill 136, the Public Sector Transition Stability Act. However, it goes far beyond dealing with the transition processes associated with school board amalgamations by making changes to education finance as well as to the scope of teacher collective bargaining.

The Ontario Federation of Labour is adamantly opposed to Bill 160. It is a piece of legislation that is both disruptive and unnecessary. The name of the bill, the Education Quality Improvement Act, is a deception. The majority of provisions in this bill will not improve the quality of our education system but will do, quite frankly, just the opposite. Bill 160 appears to have been designed with objectives other than that of improving the quality of our education system.

Our opposition to the bill centres around several main points. The first is that Bill 160 is undemocratic. It gives Queen's Park sweeping dictatorial powers over every aspect of the education system: school boards, funding, school councils, teacher qualifications, the number of teachers and the amount of time teachers have to spend with their students.

The second point is that Bill 160 is not about improving quality in education. It is, rather, about downsizing public education, eliminating programs, laying off 10,000 teachers, and replacing teachers with unqualified personnel. Bill 160 targets the two areas that stand in the way of the government's agenda: school board control of a significant part of education funding and the negotiated guarantees in teachers' collective agreements.

The bill allows the government to reform the education system in these two key areas by removing control of education spending and taxation from school boards and trustees and centralizing it at Queen's Park, and by controlling teachers' terms and conditions of employment by regulation so that certain perceived cost items such as preparation time, class size and the resultant number of teachers will not be negotiable.

At the same time, the government is attempting to get support from the public for their agenda by convincing them that these changes are necessary, that educational spending is out of control, that school boards and teachers' unions are to blame, and that in order to make inroads into the deficit and to ensure that the future costs of education are managed successfully, Queen's Park must control the education purse-strings and limit the power of teachers' unions to negotiate certain terms and conditions of employment on behalf of their members. It also purports to be about the quality of education, when in fact it is merely a legislative tool for extracting resources and expertise from the education system.

The Ministry of Education and Training has embarked upon a comprehensive review and rewriting of curriculum for grades 1 through OAC which the ministry claims will result in a more rigorous curriculum and enhanced student performance. However, it is to be implemented at precisely the same time that Bill 160 reduces teacher preparation time and professional development days by 50%. The introduction of massive curriculum changes while reducing preparation time and professional development days are mutually exclusive objectives and fly in the face of claims that Bill 160 is about education quality.

In a similar fashion, the government has recently established a College of Teachers which is charged with defining standards of professional practice and with

ensuring the highest qualifications among Ontario's teachers. Despite the existence of this self-governing College of Teachers, and without consultation with this college, Bill 160 calls for an unprecedented diminishment of professional qualifications in Ontario schools and aims to introduce thousands of non-qualified personnel into teaching positions. Once again, it is impossible to maintain the position that Bill 160 will improve the quality of education in Ontario in light of proposals such as this.

Bill 160 will radically alter existing, well-known labour practices. It will severely limit the scope of bargaining and will result in chronic litigation as boards and teachers attempt to conduct negotiations. The legislation introduces the provincial government as a direct third party in those employment relations. It will create chaos while teacher affiliates and school boards struggle to adjust to new labour policies and practices and legal challenges to restore a balance to employee-employer relations.

Not only will Bill 160 result in unsettled teacher affiliate-school board labour relations, but it will result in the destabilization of the teaching profession itself. It will not increase accountability to the taxpayer, since the EIC and the Minister of Finance are given expanded and consolidated powers in perpetuity. The proposed legislation will result in an extraordinary degree of centralized control by the province while at the same time leaving all of the implementation problems at the local level. Under Bill 160, the province assumes all authority but accepts no responsibility.

Bill 160 proposes to regulate teacher-school board relationships during the transition period of amalgamation brought forth by Bill 104 and several other related government initiatives. It involves successor rights, representation rights, the composition of bargaining units and transition collective agreements. It limits the scope of transition and future collective agreements.

The bill also extends the powers and life of the previously cabinet-appointed Education Improvement Commission beyond the transition period to oversee certain collective bargaining issues traditionally left to teacher affiliates and school boards. The term appointment of the EIC was scheduled to expire within five years, but Bill 160 will make it permanent.

Meanwhile, the government is unable to provide any convincing evidence that teacher-school board relations require the sweeping permanent provisions of the bill or that its permanent features will in any way improve teacher-school board relations.

Scope of bargaining: Bill 160 gives Queen's Park the power to make regulations concerning teachers' terms and conditions of employment that are both unnecessary and unacceptable. The right to bargain staffing, working conditions, and job security provisions has been used wisely by school boards and teachers ever since the enactment of the School Boards and Teachers Collective Negotiations Act in 1975. Bargaining these fundamental

issues has enhanced the quality of learning conditions for students across Ontario over the past 22 years.

Placing teachers under the Ontario Labour Relations Act does not diminish open-scope bargaining, because that act places no restrictions on terms or conditions of employment which are negotiable. Teachers, however, would be denied the democratic right to bargain all terms and conditions of employment, which everyone else under the act enjoys.

Bill 160 introduces new regulation-making powers in a number of fundamental areas and provides that in the case of a conflict, the bill and its regulations prevail over the provisions of collective agreements. The injection of the minister into the negotiation process will lead to disastrous teacher-school board relations. It is an unprecedented interference by the minister as a third party in the negotiation process. But the government will not be a true party. It will set the taxation rates to generate money and the spending ceilings to allocate money, but it will not be present at the table. Many of the regulatory sections of the bill already exist in the purview of the minister, but what we see here is a tightening of the central grip on traditionally local matters.

We would like to comment briefly on some of the proposed regulations.

Regulating work time preceding the start of the school year: By suggesting that a regulation is needed to require teachers to work during the week immediately preceding the start of school, the government is taking a voluntary service and turning it into a compulsory part of the job. Most teachers also spend time in school during the week preparing for opening day. This is what professional teachers do. This change will place enormous stress upon the relationship between school administrators and their teachers, not to mention among teachers themselves.

Regulating the length of the school day, school year and their components: Regulation 304, as it is currently drafted, already deals adequately with these matters by giving the minister the power to make regulations governing these areas. Other than prescribing a minimum number of instructional days and a maximum number of examination and professional activity days, teachers and school boards should be left alone to determine these issues locally through bargaining.

Regulating class size: We cannot agree with any provision that would limit the right of teachers to negotiate class size with their employing school board. Teachers in Ontario have historically bargained pupil-teacher ratios, class size, teacher workload and other associated terms and conditions of employment. School boards and teachers recognize that particular grade levels, subjects or programs may vary enormously from board to board and school to school.

1920

The former education minister suggested that school boards and teachers lack the responsibility to be permitted to control this very important subject. The record shows otherwise. Recent increases in class size have been a direct result of the \$800 million in cuts made by this

government in the last school year. If proper funding were available, reasonable class sizes would prevail in every class in every school board in Ontario. The government's sole objective in this exercise is to be able to reduce the absolute number of teachers in the classroom.

Regulating preparation time: This government seems to have made it a priority to attack teachers' preparation time. It has gone out of its way to promote the myth that Ontario teachers have more preparation time than colleagues elsewhere in Canada and that the achievement level of Ontario students would improve if only it can force teachers to spend some of that excessive preparation time in direct contact with their students.

In reality, Ontario teachers do not enjoy more preparation time than their counterparts in other provinces. Most elementary and secondary teachers receive up to 40 minutes a day for preparation time. This is comparable to other provinces, and the use of this preparation time by teachers is well documented. The tasks in which they engage are endless, all of which contribute to being as effective as possible when performing their actual in-class duties with students.

What is the government's motivation to reduce teachers' preparation time? The answer, quite frankly, is obvious. In order to find more savings from Ontario's education system, the government must cut the number of teaching jobs, but there is virtually nothing left to cut. By reducing the number of preparation periods, two key objectives of the government are realized: the significant cost savings the government is seeking and a reduction in the number of teachers.

Regulating the amount of teachers' non-teaching time: Limiting the amount of time teachers spend performing other necessary tasks such as on-calls would deprive schools of the resources and skills that teachers bring to these tasks. It appears the government is simply intent on teachers teaching in the classroom. All the other important interaction which teachers have with students outside of the classroom in a school is apparently unimportant. How will that positively affect the tone of most schools and the relationship that most teachers enjoy with their students? If schools operate less efficiently or are a more impersonal place to be, how will they improve the quality of education?

The government's intrusion in this area will be counterproductive. There can be no central control over goodwill, volunteer time, or extracurricular activities. The more the minister assigns during the day, the more the minister extends the day or the year, the less time will be available for other valued activities.

Regulating who teaches and what qualifications teachers should have: We are adamantly opposed to any recommendation that would allow instructors who are not certified teachers to supervise or deliver programs and any other regulatory change that would facilitate that. Qualified teachers are the foundation of a quality education system. Successive governments, teachers' federations and school boards have long stressed the need for qualified teachers to provide instruction to students. In

the 1970s, qualifications were changed to require at least a bachelor's degree in order to gain entrance to a faculty of education, at least for academic teachers. The royal commission even went so far as to suggest that teachers ought to have a master's degree to teach. The practice over the years has been to increase the requirements to be a teacher, not decrease them.

In the modern world of ever more rapidly changing technology, the education system of a successful society must employ teachers who are more competent and highly trained than ever before. Teachers will have to have ever-increasing levels of post-secondary and post-graduate training. They will need not less but more qualifications than in the past, and yet this government declares this to be the time to dilute and limit the job description and qualification requirements of teachers and teaching positions. This is a move that will lead to the erosion of our educational standards and that will lead to Ontario becoming a second- or third-rate province, unable to compete in an increasingly complex global economy. Devaluing teacher qualifications and expectations will lead to economic and social disaster.

All of the above regulations will place unnecessary restrictions on the scope of bargaining and violate the right of teachers to negotiate freely their terms and conditions of employment. The Ontario Federation of Labour will support the teachers' federation in their resolve to use every means possible to oppose the passage of these amendments into law.

Education finance: Bill 160 radically alters the system of education finance used in the province of Ontario by suspending the rights of school boards to levy taxes. What this means is that school boards are effectively taken over, out of the power loop. They no longer have decision-making powers over either the generating formula or the allocating formula for education dollars.

In order to support its claim that education finance in Ontario must be reformed, the government is trying to foster the notion that Ontario's education spending is out of line with that of other Canadian provinces and that \$1 billion must be extracted from the system. In fact, for the 1996-97 school year, Ontario ranked 49th of 63 North American education systems in per pupil spending. Forty-two American states, the District of Columbia, three Canadian provinces — Manitoba, British Columbia and Quebec — and the two Canadian territories all surpassed Ontario's per pupil costs.

In view of the time, I'm going to skip over school boards and government's regulatory powers, collective agreements, the right to strike, and I'm going to move right to the conclusion.

Interjection.

Ms LaValley: I apologize. I'm just going to briefly go through the right to strike.

Bill 160 also gives the Lieutenant Governor in Council the authority to remove the right to strike under the guise of preventing disruption in the education of pupils. We consider this to be an arbitrary misuse of power. The right to strike is a right under the Ontario Labour Relations Act,

but this bill allows the government to circumvent parliamentary debate in the denial of this right. Bill 160 gives the government the right to write a regulation that overrides any act and thus gives it the ability to remove the right to strike without holding any debate in the House.

Under Bill 160, the cabinet, through the EIC, is given unlimited powers to determine the manner of restructuring in this transition period. The EIC has the duty to oversee and make decisions with respect to the transfer of assets, liabilities and employees. There are minimal protections for employees who are transferred unilaterally from one school board to another, save their right to retain employment. These transfers may be beyond the group of predecessor school boards. The EIC has the right to override local collective agreements in any matter before them.

Since the EIC is composed of cabinet-appointed individuals who are directly responsible to the cabinet, and since all decisions by the EIC can be reviewed by the cabinet, the EIC will be the mouthpiece of the government. Their role will be to echo the desires of the government. To further complicate this problem, the commissioners have no responsibilities to explain their decisions to the affected parties, nor to provide any rationale behind their actions. There will be no accountability between the parties or to the public.

In conclusion, the Ontario Federation of Labour is not opposed to education reform if it serves to truly improve the quality of education students in this province receive, but as we have illustrated in this submission, Bill 160 is not about improving quality. It is an attack on the education system, an attack on the rights of teachers. We urge this government to scrap this legislation and to bring in real reform based on fundamental democratic principles.

For education reform to be acceptable to parents, to students and to teachers, there must be no adverse impact on students or programs. The reform must guarantee adequate funding under the control of local school boards to maintain quality programs for Ontario students. It must guarantee that teachers will continue to have all terms and conditions of employment negotiated through direct and free bargaining with their employer. It must also guarantee that every student in every Ontario classroom has a qualified, certified teacher. It must minimize the regulatory control of Queen's Park and its educational bureaucrats and reinstate shared decision-making on educational policy so that students and their programs are protected. It must guarantee that local school boards maintain their constitutional right to levy taxes to meet the educational needs of their students. Finally, it must provide the Ontario Labour Relations Board with the authority, if necessary, to determine transitional bargaining issues resulting from the merging of teacher bargaining units.

1930

We believe that educational reform which has these guarantees as underlying principles will best serve the students and teachers of Ontario and will maintain a strong and viable public education system.

On behalf of the Ontario Federation of Labour, I respectfully submit this brief and thank you very much.

The Chair: Thank you, Ms LaValley. We have one minute left per caucus and we can start off with Mr Smith.

Mr Smith: Ms Koecher, we've had a number of presentations today dealing with a range of viewpoints on the extent to which parents should be involved in the decision-making of their school community. As a parent, could you give me an idea of where your comfort level is in terms of involvement in decisions in the school community?

Ms Koecher: I like knowing that my trustee is available for me to call and that he or she will have a knowledge of what goes on in the ward. I would like to be able to call her and talk about problems with her and know that she might have somewhere to take my problems and deal with them. I feel that with this bill that isn't going to happen any more.

Mrs McLeod: Under Bill 160 teachers who are in amalgamated boards, or in boards that in fact are not being amalgamated, will have to renegotiate their contracts as of January 1. As of January 1, all contracts, although they are carried over, are put in suspension. They have to renegotiate new ones by September 1.

Do you know whether or not that is true for non-teaching employees of school boards in boards that are not amalgamating? I don't know how close you were to Bill 136 as it was working its way through the system. If you don't know the answer, you're not alone, because I haven't been able to get any —

Ms LaValley: I'm not sure, to be honest. We could fine out, but let me say that from the Ontario Federation of Labour's point of view, we've been quite occupied not only with Bill 136 but with this bill, Bill 160. But we could certainly find an answer for you.

Mrs McLeod: It seems to me it's a recipe for chaos to have even just the teaching contracts of all amalgamated and non-amalgamated boards expiring and having to be renegotiated. Do you think you could comment on why the government would feel it was necessary to have all the contracts of non-amalgamated boards reopened and renegotiated within that time frame?

Ms LaValley: My personal view on it is that it's all part of the plan to provide chaos. It's all part of the plan to have the teachers and everyone look like a bunch of greedy people who just want to protect their jobs etc. I also believe there isn't enough dialogue. They talk about the fact that they want to dialogue with the teachers and they want to make this fair and reasonable, but in fact that's not there. I believe it's all part of the process where it's set up to make everyone appear as if they don't want any form of change.

Mr Wildman: One of the reasons for that, of course, is the fact that if the government is about taking money out of the system, the only way they can do that is by having fewer teachers. If there are protections in the collective agreements on class size, prep time and so on, that prevents the government from acting to take the money out.

You were very much involved with the OFL with regard to Bill 136, which was also purported to be a transition piece of legislation to smooth the transition: the amalgamation of hospitals, the amalgamation of municipalities and so on.

This is the same sort of thing, the amalgamation of boards. Do you have any idea why the government would move and try to accommodate the concerns of the labour movement on Bill 136 but apparently is not prepared to take a similar approach when dealing with teachers?

Ms LaValley: I guess everyone was kind of wondering what happened with Bill 136. I like to think that the government has seen the right of what has been done, the fights in the community saying to the government: "This is wrong. This isn't the way to do it."

Clearly from my own personal point of view, particularly as the government looks at where they are in the polls, it looks as if they have certainly been on a roll to try to pick a fight with the teachers. If you watched Mr Johnson tonight on the news, it's: "We're trying to attempt; we're really sorry that they've left," but I think this was all window dressing. I think they want the teachers out on strike. They want to create this chaos and they want to call it an illegal strike and get them forced back; they want to show they've got the power. That's my view of this.

The Chair: Thank you for your presentation here this evening.

BOARD OF TRADE OF METROPOLITAN TORONTO

The Chair: Our next presentation will be by the Metropolitan Toronto board of trade, Louise Verity, director of policy. Welcome, Ms Verity. I know you know the rules, but I would ask that everyone be introduced for the purposes of Hansard.

Ms Louise Verity: Thank you very much. I would turn it over to Paul Fisher, who is the chair of the Metropolitan Toronto board's education and training committee.

Mr Paul Fisher: Thank you, Mr Chairman, for allowing the Board of Trade of Metropolitan Toronto to make a presentation before this committee. My name is Paul Fisher and, as Louise has said, I am the chair of the education committee of the board of trade. With me, as you've noted, are Louise Verity, director of policy, Norm Tulsiani, internal legal counsel, and John Bech-Hansen, staff economist.

The Board of Trade of Metropolitan Toronto is the largest community board of trade or chamber of commerce in Canada. Our membership comprises a broad cross-section of the greater Metropolitan Toronto business community, from self-employed businesspersons to major corporations, both domestic and foreign-owned, private and publicly traded, engaged in all manner of business from service to financial and manufacturing activities.

The board of trade welcomes the opportunity to comment on Bill 160. While the board would normally provide detailed commentary on the various aspects of the

bill and offer concrete recommendations for improvement, because of time constraints we will restrict ourselves to commenting on a few key areas. For a more in-depth look at our response to Bill 160, I would refer you to our brief.

For the purposes of my opening remarks, I will address the five key aspects of Bill 160 from the perspective of the Board of Trade of Metropolitan Toronto. They include instructional time, preparation time, illegal strikes, differentiated staffing and education finance.

The board of trade supports an increase in instructional time. The board supports the regulation-making powers in this bill which will give the province the ability to limit class size and the number of exam days and professional development days to ensure that students receive the ideal amount of instructional time in the classroom. The board of trade supports the finding of the Education Improvement Commission that students should spend more time in the classroom.

The need for students to receive greater instructional time is clear. As outlined in the EIC's first report of August 1997, Canada compares rather unfavourably with a number of other countries in terms of the average number of days in the school year. China has the highest annual number of school days with 251, Canada ranks tenth with an average of 188, and Portugal has the lowest at 172. Ontario's 300-minute instructional day places us eighth out of 20 jurisdictions surveyed, with France ranking first at 370 minutes and Brazil the shortest at 223 minutes.

It is critical that the Ontario education system give students the skills required to compete in a global marketplace. The regulation-making powers set out in this bill will allow for a flexible system to ensure students are spending enough time in the classroom.

The board of trade supports the right of the province to designate teachers' preparation time by regulation. We recognize that teachers are professionals and do spend time to keep up to date in their subject areas and to revise and improve their teaching lessons. Such preparation is vital to ensuring the quality of education received by students. Such effort of preparation is routinely expected of professionals in other sectors. The board of trade supports the right of the province to set teachers' preparation time by regulation, but notes that preparation time should be applied consistently to all teachers across the province.

1940

The board of trade supports a flexible education system where students are able to benefit from the knowledge and experience of experts in particular areas who are not certified teachers. The board of trade recognizes that the appropriateness or necessity of using non-certified teachers will have to be decided on a case-by-case basis. We support the regulation-making power of cabinet as a flexible tool to achieve this purpose. The board of trade recognizes that the use of such experts is to supplement the work of certified teachers.

The board of trade strongly opposes any illegal strike on the grounds that it would be irresponsible and detri-

mental to the education of students. The board of trade supports the provisions by which strikes and lockouts which commence before January 1, 1998, will be terminated on that date and that no strike or lockout can occur without meeting the requirements of the Ontario Labour Relations Act. This will encourage the parties to negotiate their differences.

The board of trade also supports the requirement that the first collective agreement negotiated between the parties have a term of operation of at least two years to ensure some stability during the transition period and to ensure the non-interruption of the school year for students during this time. An illegal strike would be irresponsible and unacceptable. Our children would pay the price.

The board of trade still has major concerns in the area of education finance. Education finance decisions still to be made by the province will have major consequences on the quality of Metro Toronto's education system. Centralizing the financing of the elementary and secondary education system, however, is long overdue. Total school enrolment increased by only 16% between 1985 and 1995, while school board spending increased by 82% and property taxes increased by more than 120%. No provincially controlled tax on either persons or businesses has increased by anywhere near this much over the same period.

The provincial government must establish a single, uniform, province-wide property tax on non-residential property for the support of elementary and secondary education.

Business taxpayers in Ontario currently face massive interjurisdictional inequities in the burden of non-residential, that is, commercial and industrial, education property taxes. According to the report of the Ontario Fair Tax Commission, effective non-residential property tax rates in Ontario for education vary over a range of six to one.

All Ontario businesses benefit equally from a well-educated society. Elementary and secondary education is as much a provincial responsibility as health care, social services and post-secondary education, which are already financed from uniform provincial taxes. The costs and benefits of education spill over school board boundaries to a very large degree. Education is poised to become a universal service with province-wide standardization of basic service levels and performance measures.

Having a uniform commercial-industrial rate would parallel planned changes in the treatment of residential education taxpayers. The provincial government must establish a single, uniform province-wide property tax on residential property for the support of elementary and secondary education.

The Minister of Municipal Affairs and Housing's August 6 announcement concerning the estimated changes in municipal costs and revenues that would result from the government's Who Does What initiative contained two alternatives for the halving of residential education taxes. Alternative 1 called for every municipality's residential education tax rate to be halved; alternative 2 called for a single, uniform rate of tax modified to ensure that

taxpayers in all municipalities receive at least a 40% reduction from 1997 taxes.

The board of trade believes that the rationale for province-wide uniformity in non-residential taxes applies in equal measure to residential taxes. We therefore urge the province to adopt a single province-wide rate of property tax rather than halving existing tax rates in each municipality.

The provincial government must ensure that education funding formulas give adequate recognition of special needs. If the provincial government proceeds to centralize education finance, it is imperative that the new grant system take local circumstances into account, such as the learning readiness of children entering the school system, the costs of providing education to students for whom English or French is a second language and the costs associated with educating children from low-income families or students with special needs. All of these are heavily concentrated in Metropolitan Toronto.

Our support for the centralization of education finance will remain conditional until we are assured the amount of this grant reflects the true costs associated with educating children at risk and is not structured as a token grant with minimal resources attached to it.

That concludes our remarks. We'd be pleased to answer any questions.

The Chair: Thank you. We have about five minutes per caucus. We'll start off with the opposition.

Mr Gerry Phillips (Scarborough-Agincourt): I appreciate the board's presentation; thoughtful as always.

I'm looking for your advice on your support for the bill, in that you say it's subject to three conditions and then a general dissent. The bill we have to approve, the one that will be rammed through, does not meet at least two of your concerns. In fact, it runs contrary to them in that your condition 1 was a single, uniform province-wide property tax on non-residential property. The bill actually is the opposite of that. If you've read the bill, the minister has unfettered rights to tax whatever he or she wants, and it isn't just this government, it'll be the next government. So I say strike one, if you will.

I've listened to the Conservative members and your condition 3 about meeting the special needs of Metro Toronto — you speak well for them, I might say, for all the residents. I fear deeply that the plan of the government is to gut the support for special needs in Metropolitan Toronto. I've been at public meetings where they say the city of Toronto school board is spending way too much money. So we're going to have to approve a bill with no assurances on your condition 3.

On your general dissent, businesses in Metro Toronto are going to have 100% of the education left on them, nothing is coming off; unfettered rights by the minister to tax you in any way he or she wants; and you're picking up social housing, social assistance, child care, all sensitive social services that nobody, particularly the board of trade — but nobody; David Crombie — thinks is right.

You're here today I think kind of encouraging us to vote for Bill 160 and I'm telling you that at least three of

your four conditions on the financial side are not only not going to be met, but we're going to put in law the opposite of what you want. I guess I'm looking for some advice from the board. What is your advice to us? Do we fight to hold this bill up until we get the assurances the board of trade wants or what?

Mr Fisher: Thank you for those questions. I'll answer the one about the Metro Toronto concern about adequate compensation for special needs and then I'll turn it over to John on the tax issues.

I was the lead founder of something called Principal for a Day on behalf of both the Metropolitan Toronto board of trade and the Learning Partnership. As part of that, I myself went to Wilkinson Public School. Mr Smith came and spoke to us at the board of trade and I empathized with him what I saw there: 50% Muslim students, 38% students with English as a first language. We have very special needs brought on by immigration into Metropolitan Toronto, so we are very concerned.

On the other hand, we at the board understand the importance of good education and feel the system has not been flexible enough and needs adjustment. So it's perhaps one of those leaps we are prepared to take because we see the overall need for rate flexibility and restructuring, and we see this bill as the only opportunity that has come along in a long time to do that. It's in the context of the other restructuring, of course, with the school boards. Now I turn it to John for the tax aspects.

Mr John Bech-Hansen: Actually, I just wanted to make a supplementary remark on the grants issue. It's always been a bit of a divisive issue for us in the business community because we've certainly examined the costs of the Metro school board and we've always understood that the out-of-classroom expenditures by the Metro public board are quite a bit higher than they are anywhere else in the province.

We anticipate that part of what the government is trying to achieve is some control on the out-of-classroom expenditure side and they're to be commended for that, but at the same time we recognize there will always have to be some higher level of spending in Metro per student than the provincial average on account of the special needs that are there.

We're kind of hoping that on the one hand some of the out-of-classroom expenditure is going to be addressed, but at the same time that there will be improvements on the grant side, which are directed at the classroom for special needs children. We're hoping there will be a reasonable balancing out of what's happening. We don't expect at the end of the day that the Metro school boards will probably get as much per pupil as they are now, but we aren't convinced they necessarily need that to provide the services that are needed.

1950

On the question of the taxes, we recommend that commercial-industrial taxpayers pay a uniform rate province-wide. Our understanding is that's what the Business Education Tax Review Panel has recommended to the government and I guess we just have to wait and see

if that's going to happen. We don't really see any reason why the government would have any reason not to support doing that inasmuch as it's planning to do the same thing on the residential taxes.

Mr Phillips: Would any of your members proceed to approve a business plan with those vague, unanswered questions? I don't think so.

The Chair: I'm sorry, Mr Phillips, our time has elapsed. We have to move on to Mr Wildman.

Mr Wildman: I'd like to follow up on Mr Phillips's questions. I thank you for your presentation. It's nice to see you again, Louise.

Two areas, particularly on the funding formula: You're quite right. You said all you can do is hope. We don't know what the funding formula is. It was originally supposed to be coming out in September, then it was supposed to be mid-October. Now we don't know when. It appears it's not going to be coming out until after this bill is law. Wouldn't you think it would be more reasonable to delay the passage of this bill into law until everybody knows what the funding formula is and understands what the government intends to do with regard to funding classroom education for students? Would that not be a more reasonable approach? Would you approve a business plan without knowing what the numbers were?

Ms Verity: The bill actually is very complex and we did indicate at the beginning of the presentation the difficulty a group such as ours has in responding, that there are so many facets to the legislation.

What we have to keep in mind, on the basis of the fact that there are so many facets to the legislation, is that there are some components where there are definitely timing considerations in terms of the broader restructuring that's happening with the school boards and other things.

The timing of the legislation passing — I can only speculate at this point, given where I am now — is that we have a municipal election campaign in under one month and there are some components that are really key to that process. I think from the labour relations side and others, there's certainly some rationale for it.

In terms of the board's position on education financing and some of the decisions we have not seen, that certainly is a real concern, but from a logistical, operational standpoint there are many components of this legislation which I think will have to be passed by the Legislature in a timely fashion, if the government wishes to proceed on its path.

Mr Wildman: Over the last year Louise and I have had numerous discussions about the timely passage of legislation.

Could I ask one other question, and that is with regard to your comments about the Education Improvement Commission and its recommendations with regard to changes in prep time. You pointed out quite correctly that the EIC recommended there be more contact between teacher and students in the classroom, and it recommended changes to prep time. But the law that is proposed here, Bill 160, is proposing double the cut that was recommended by the Education Improvement Commission.

While you can say they recommended it, they didn't recommend it in this magnitude. They also recommended a reinvestment of all dollars saved in education and the government hasn't been prepared to make that commitment. I'm just asking if you would check with the EIC about its recommendations and perhaps try to find out for all of us why the government doubled it.

Mr Fisher: I guess our feeling was that the regulation-making power, which I emphasized a number of times, provides the cabinet with the flexibility to implement whatever is necessary. Our understanding is that the cabinet will be prepared to listen to submissions as to what would be the correct amount. There's an element, I agree, of trial and error there, but we feel you try something and if you find that it's ineffective, that it's not working, then you should have that flexibility to make changes.

Mr Froese: I was a little surprised at Mr Phillips's and Mr Wildman's reference in some of the questions. I'm sure they referred to education as a business and I thought they had said before that education wasn't supposed to be treated as a business.

I'll make a statement and then I'll ask you to respond to it. The statement might be quite lengthy but just bear with me for a minute.

The bottom line to our reform of education is basically three things, and that is less waste, more teaching and better results. If we come with our new curriculum and we talk about teaching time and so on and so forth, it's basically those areas. Those who have come in opposition against our education reform, by far the majority of them just come and say, "No, no, no," and don't give any proposal for changes to improve the education system. Everybody has talked about education reform for years and years.

I'd like to get your comments or what your feeling is on an article that was in the St Catharines Standard; that's where I'm from, St Catharines-Brock, the riding. It's an editorial. I'll refer to what they say is a role for clarification. They talk in terms of customers, management and service providers, the parents being the customers. They talk about the outcomes of the Ontario education system should be measured and evaluated by parents, and parents only. They talk about the government and the administrative branch as being the management of that model system, and that in that role the management portion, the government in this case, is responsible for the long-term strategies, the design and enhancements of the education system and change.

When you're in that position, as government or management, you always keep in mind the needs of your customer, which in this case would be the parents. If the parents aren't satisfied, they're going to judge it and they're going to tell the government what's wrong. If the government doesn't listen, you know what happens the next time around.

We've heard a lot about the teachers unions and their complaints, but in the model they're the service providers

and they have a critical role. We all understand that. They have a responsibility for delivering that system.

They talk about it being dangerous for the teachers to elevate themselves above that role they're there for and to start determining what the class sizes would be, what the curriculum should be and other standards.

I would like to know if you can comment on that type of model. Would you agree with something similar to that?

Mr Fisher: I'd be glad to comment on that, certainly. First of all, I should emphasize the system in Ontario is very good. We do have good-quality education, but it's not as good as it should be and we are spending too much money on it. It's too inflexible a model.

I'll say as an aside that, as a banker, I know about inflexibility, I know about bureaucracy. We in banking are doing a lot, as a lot of institutions such as hospitals etc have done in Ontario over the last number of years, over the last number of decades, to make ourselves more consumer oriented. We certainly are not as consumer oriented in business as we need to be.

I heard a presentation last week from the Institute of the Future in the United States on the new consumer. The consumer is demanding a lot more. I think what we're seeing here is business as provider of the taxes, and the residents and parents. I have three children in the education system, up to high school. We are wanting more. We are consumers who are asking for more. In terms of can the suppliers, can the tellers in the system, in effect — I don't want to lower — I mean, these are professionals we're talking about as teachers, but as an analogy, they are not ones really to evaluate the quality of their own services, I don't think, and to make the decisions as to when they should open and close the doors. We are now listening more and more to consumers as to when that should happen. If we don't satisfy the consumers, they leave. This system is a monopoly basically. Nobody can leave with the exception of a few private schools, and even then you're double paying.

We support, I think, what you're saying very fully. We want to emphasize the quality of the education that's there, the quality of the teaching. We just want it better.

The Chair: Thank you very much for your presentation this morning.

2000

ONTARIO PUBLIC SUPERVISORY OFFICIALS' ASSOCIATION

The Chair: Our next and last presentation for the evening is the Ontario Public Supervisory Officials' Association. The committee welcomes you call, and my personal welcome to the director of education in the region of Waterloo.

Mr Terry Lynch: My name is Terry Lynch. I'm the president of OPSOA. Introducing my fellow presenters, Ron Sudds is our treasurer; Grant Yeo is past president; and Patti Haskell is our president-elect for 1998-99 school

year. Also in the audience tonight is Rae Stoness, our executive director.

OPSOA is pleased that this opportunity is afforded to us to comment on Bill 160. We would like you to see our presentation characterized as a discussion of conceptual concerns about the long-range impact that the approval of this bill will have on effective implementation and supervision of the delivery of exemplary instruction to Ontario's students. The considerable training and experience of our members provide support to the issues we wish to raise this evening.

The Ontario Public Supervisory Officials' Association represents the senior education leaders in the public boards of education in Ontario. Directors and superintendents have been providing strong leadership and management within the directions of government legislation and regulation and school board policy since the implementation of Bill 44 in January 1969. OPSOA's main goals are to influence the direction of education policy in the province and to provide professional services to its members.

By way of background, OPSOA has valued, since its organizational inception, one publicly funded school system which would provide for the constitutional rights of Ontario's population. Such a pluralistic structure would be open and equitable to the diversity of this province. This belief is a matter of public record for OPSOA.

OPSOA is dismayed by the counterproductive climate growing within our school districts because of the government's intentions in Bill 160 and the teacher reaction to those intentions. The threat of an illegal strike is consuming the time and energy of the classroom teacher in a manner which threatens effective instruction. OPSOA's members wish to manage these potential confrontations and civil discontent fairly and legally to ensure student safety and wellbeing.

The Premier's comments to the effect that, "School boards and unions cannot be trusted to manage the education system," are statements which only exacerbate an already volatile situation. Historical perspectives which analyse the long-standing partnership of provincial governments and local school boards in the provision of educational services will show that cause for the alleged ineffectiveness does not rest solely with the school boards and unions. Mature thinking and rigorous planning are required to develop and implement change and OPSOA is disappointed that the Premier apparently has sought to inflame a difficult situation.

Bill 160 provides for greater regulatory direction in the delivery of programs and services in education than ever before. OPSOA has experienced the manner in which previous government regulations have been developed and is concerned therefore that broad consultation from the education community will be overlooked or perhaps ignored as excessive centralized control is imposed.

Bill 160, which extends the government's intentions introduced in Bill 104, clearly signals a comprehensive and excessive shift of control. OPSOA's concern is that the recent erosion of the management and supervision

infrastructure in both the Ministry of Education and local school systems will render supervision of centralized directives ineffective. Dysfunction and new inequities will result. This bill does not contemplate, nor has the government publicly addressed, the essential requirement of supervision for the province's 5,000 schools.

Bill 160 will empower the Minister of Education and Training to effect provincial centralized control in a manner OPSOA believes is unnecessary. OPSOA had, and continues to have, serious reservations about the unfettered powers given to the Education Improvement Commission in Bill 104 and the same erosion of local determination proposed by this bill we view to be excessive.

The implementation of programs and services, the supervision of that delivery and the evaluation of effectiveness should allow for local distinctions, interests, priorities and diversity. The regulatory invasion of the Minister of Education and Training proposed by this bill will be counterproductive to those values. In addition, OPSOA views the new funding model without local taxation discretion as a further impediment to providing for local differences.

The diversity of this province which you represent negates the application of "one size fits all."

The role of the supervisory officer: Effective employment relationships is a long-standing value of our organization. With the introduction of greater regulatory directives, OPSOA is concerned about its members' relationships with their employers, the local school district boards.

OPSOA's members, including the CEOs, will be required to assume increased responsibilities for the Minister of Education and Training. An increased reporting relationship to the minister is proposed by this bill. As such, OPSOA sees a significant shift for its members from their responsibilities to their employers. This shift has the potential to produce difficult relationships and significant misunderstandings between the supervisory official and the local district school board. This will be a new tension that has the potential for mismanagement and disaffected leadership.

The role of the school principal: The implementation of Bill 160 will produce considerable new tensions for the school principal as he or she manages increased federation intervention, the new advisory input of school councils and the application of provincial regulations.

With the decrease in the supervision and administrative infrastructure in school boards, the principal will incur vastly increased responsibilities. The attendant pull of those commitments and changing allegiances will be inordinately onerous for incumbents and will negatively influence the decision of future aspirants.

OPSOA believes that we cannot be assured of the most effective future leadership for our schools when considered in the context of the impact of Bill 160.

Changes for improvement: OPSOA suggests that the following proposed changes in Bill 160 have potential merit for improved learning opportunities for students:

reconfiguration of the school year, including professional activity days and examination days, in a manner which supports effective curriculum implementation; realignment of the collective bargaining process; legislated institution of advisory school councils; and management latitude which encourages productive change to enhance the quality of instruction.

On the other hand, we have some changes that we believe could be/would be counterproductive to improvement. OPSOA challenges the elimination of local taxation powers for the district school boards. Some discretion beyond basic per pupil funding on a provincial norm is essential to delivering effective programs and services which are responsive to local diversity.

OPSOA believes there is an excessive shift of power to the Minister of Education and Training from the jurisdiction of the local school system. Effectively managing and supervising the implementation of excessive regulation at the local level will be most difficult, if not impossible.

The government has said it does not intend to pull a further \$1 billion from provincial education expenditures. What then does it intend and when will we know?

The potential for complete provincial control places in serious question the ability to deliver education in an open, universally accessible and equitable manner. Can the government guarantee an expenditure level which supports the implementation of those values, or will the new funding model create new inequities for opportunities for student learning?

OPSOA believes that the government must commit to reinvest in elementary and secondary classrooms in this province any savings projected from the restructuring flowing from the implementation of Bills 104 and 160.

In conclusion, we thank you for the opportunity to present OPSOA's views on some of the proposed changes intended by Bill 160. As supervisory officials, we are concerned about improvements in learning for all of Ontario's students. We have reservations, however, that parts of Bill 160 will not accomplish the government's stated goals. Thank you.

2010

The Chair: We have six minutes per caucus. We'll start off with Mr Wildman.

Mr Wildman: Thank you for your presentation. I know a number of you, and it's nice to see you again. I agree completely with your view that there must be a commitment to reinvest. Frankly, I believe, parenthetically, that if that commitment were clear and were made, it might go a long way to avoiding the confrontation that seems to be impending.

Having said that, we don't know what the new funding formula is. In your view — and perhaps you don't want to take a position; if you don't, fine — would it make sense to hold off the final passage of the legislation until we know what the funding formula is so that everybody, all the stakeholders — students, parents, trustees, supervisory personnel, unions, taxpayers, everybody — would know

what the government intends to do with regard to spending?

Mr Lynch: I will offer a brief comment and then perhaps turn to our treasurer, who is also the superintendent of business in one of our school boards.

We well understand the time frame and the time lines by which governments have to operate, so we are not naïve in any sense, but it is our strong sense that we are literally weeks away from 1998 and stub-year funding. As the senior officials charged with working with new school boards, which will have many new trustees, we are desperately worried that the information that will come to us will be so late in the game that we will be scrambling trying to make sense of it.

We are equally concerned that the new funding model proposed for September 1998 will require a lengthy lead-in period in terms of both our knowledge, our understanding and our analysis and our ability to make the decisions with our trustees that will genuinely impact positively on the classroom.

We are worried that time is slipping away from us, and we know it's very much caught up in and around Bill 160. Perhaps for more specificity, I would ask Mr Sudds to comment.

Mr Ron Sudds: It would be helpful to know what the expert panels have to say. The former minister has said that the expert panels would give advice and that the minister would formulate a funding model that would take that into consideration.

That is a concern, because if you look at one of the statements that was made earlier about the 16% and the 82%, it's an interesting set of numbers that I've heard a number of times, but you need to understand what the numbers mean. If you look at it over an 11-year period, you've got 16% enrolment growth and you've got inflation that was about 44% during that period. Then I just listed very quickly some provincial initiatives that deal with what were special concerns over various governments, not just the present government, like Bill 82, which is special education, which was implemented in 1985 — a significant impact. You can go through Bill 30, which was the extension of separate school funding. You can look at pay equity. You can name them. It's very easy to find the other 22%.

What has to happen in a funding model or legislation is that you need to understand, what are the initiatives that we are going to put into place to make a quality education product, who is putting that in there, and what is the cost of that? We don't have that at this point in time.

My concern, based on the funding model and some of the concerns I'm hearing, is that we're not talking about a foundation grant; we're talking about specialty grants, and then what's left over becomes somewhat of a foundation. That's not known yet either. Clearly the legislation makes some significant changes in how we will pay for whatever the product is, and it would certainly be important to see what the funding model looks like.

Mr Wildman: The other question I have relates to your second paragraph on the third page about the shift of

power and your comments on the second page regarding the role of the supervisory official and your concern about the relationship between supervisory officials and their employers because of the shift in power and the change in relationship that will produce.

I would look at it from another angle. I honestly don't know — and I've said this a number of times — why anybody would run for trustee any more. They don't know what their role is going to be. Nobody seems to. All the decisions are going to be made at Queen's Park. You're saying you're going to end up having to report on more issues and on a more regular basis to the ministry, for obvious reasons, and that may lead to problems and misunderstandings with your employers. Am I overdramatizing that problem, or is it a serious concern that there may be a blurring of who really runs things in the local education system?

Mr Grant Yeo: I'd be pleased to respond to that. Our organization has looked at what has happened in other provinces. One of the concerns that come to us from other chief executive or chief education officers in regard to legislation is that the relationships with their boards have changed, and they have changed because of a blurring of roles. Instead of being the educational leaders, they have become the political messengers of the minister and therefore have not had the ability to implement change in the manner in which we have learned to do that. That is a concern to us.

In regard to the governance aspects, the roles of trustees, senior admins, principals and school community councils should be developed together and not in a piecemeal fashion, and certainly before people are in those positions.

Mr Smith: Thank you for your presentation. May I conclude from your comments in your submission with respect to your management of potential confrontations and civil discontent that OPSOA would not be supportive of illegal strike action by teachers in the province?

Mr Lynch: I will respond in terms of how OPSOA views this issue. We are very much working with our boards and with our employee groups. I think I can say to a person representing OPSOA that we have probably been meeting with our employee group leaders more often in the last six to seven weeks than we ever have before. It's almost on a daily basis. We're doing our level best to keep peace at home, to keep students in classrooms and to try to maintain a sense of business as usual at a time when, frankly, it's not.

Our boards have taken the position that they cannot support or condone unlawful activities, and that is the message we have been sharing with our employees and our employee groups. That's not to say that there isn't some empathy for some of the concerns we're hearing from the quality classroom teachers throughout our systems. But our message has been somewhat singular, that we would much prefer that people carry their protest forward in lawful ways.

Mr Smith: Given the comments you made about the new funding model and your experience as senior people

in the education community, what do you believe would be a reasonable lead-in time for implementation of the new funding model?

Ms Patti Haskell: I'd be happy to respond to that. As senior executives — and it was interesting to hear from members of the board of trade prior to our submission. The question asked of them, "Would you, as the CEO of any corporation, be able to put together a quality education system without adequate notice of funding and so on?" was something we all chuckled about sitting in our rows. We are dealing with that and have been dealing with that for the last number of years.

If we are going to effectively implement changes in program, if we are going to be able to notify staff of those changes, if we are going to be able to bargain with the local jurisdictions that we still will have some relationships with and so on, I think it is imperative that we have at least one year's notice for any changes to funding models.

Preparation for shifts and changes in staffing formulas, for changes within requirements in teaching contracts, our requirements of other employees, notification of parents and students of changes of programs and so on, are not things that happen overnight. Parents and students deserve sufficient notice to know exactly what they can anticipate of their education. In many of our schools, particularly our secondary schools, statements are released and instructions are given around the development of concepts of programs, registration for classes and so on, in order to anticipate that, often in December or January of the year prior to that. In many cases we are months into a budget before we even have sufficient understanding of the dollars that would be available to support those programs. Things don't happen overnight when you're dealing with young people. They deserve notification so they can plan productively for their quality education. Bottom line: a year.

Mr Smith: The other issue you raised was stub-year funding; it's something the Ontario Public School Boards' Association raised as well. Is your association following the approach or the potential outcomes of stub-year funding? Are you doing any analysis or assessment around that?

2020

Mr Sudds: Yes, through various associations we are affiliated with, we are watching that. The problem with the approach right now seems to be that we're looking for a number that would be appropriate, again the one size fits all. Boards have got to where they are through various things meeting various needs of students in a local community. To simply say, "This percentage is what you have," and it's something that is no longer relevant as you move forward — it's eight months — will cause considerable problems for jurisdictions, at the same time as they're amalgamating.

You're taking two boards or four boards or a number of boards and putting them together and then creating an unknown revenue source, but clearly a revenue source that has nothing to do with expenditure patterns right now.

That's causing grave concern, because we have no information as to what that is yet. I've been involved in some committees where it's being discussed, but we clearly know it will have to go to Management Board. There needs to be some commitment from treasury. A number of pieces are still not there. We're now talking late October, and that year starts in January.

Mr Smith: Have the concerns you are experiencing or potentially are experiencing been articulated to ministry officials?

Mr Sudds: We have been talking with ministry officials, to anybody we can find who will listen, to say that this is a concern and we need answers as soon as possible.

Mr Lynch: If I can very briefly add to that, it has been our view all along that we have some expertise to share, and we have been reasonably generous in trying to offer the ministry, on many occasions, the advice of people like Mr Sudds and others serving as business officials in our organizations. The ministry has often taken us up on that offer. We would not want you to think it's a one-way street. We realize the complexity. Sometimes we wonder if others have recognized the complexity of this change process. It has been said it's 25 years in the making, in terms of education finance reform. There are reasons for that.

Mrs McLeod: I was thinking that if there was a broad-enough early retirement package available, every supervisory officer in the province would take it tomorrow. I can't quite imagine the position these people are in. You have always had a difficult role to play in being the bridge between the provincial government and your school board employers and the teachers who deliver the education on the front line and the citizens and the parents. None of us, in spite of all the tensions that job has always entailed, would ever have imagined that we would be on the brink of the kind of situation where 126,000 teachers have been pushed to the edge of having to leave their classrooms, creating the kind of situation you will have to manage.

I just want to preface my comments by saying how much I appreciate the fact that you have built and continue to build the kinds of relationships between both the boards and your employees that have meant that the meetings keep going on and that you still believe in the kind of partnership that will allow you to manage this situation as effectively as possible for the wellbeing and the safety of our students. I want to thank you for that most sincerely. I know this is going to be a rough time for you.

I feel the frustration that's in your brief. Six minutes isn't enough time to draw it out of you much more fully. I was glad you touched on the trust issue, because as people who have been very much involved in managing things at a local level, looking for ways of resolving issues at a local level, the accusation to be levelled that you can't trust boards and unions with quality education is highly offensive as well as being a very provocative and inflammatory statement to make at this point. I have an admittedly vested interest, but it really angers me when I see school boards now being written out of the equation

altogether. I think you touch on that in your brief with the shift in powers.

I'll come back to the funding issue too, because one of the things you noted — it would have been interesting if you had been able to share some figures with the board of trade that just presented, because some of the figures that get floated out in terms of increasing expenditures over the years by these free-wheeling boards, with all the money they spend on administration, which of course we know are simply not factual costs — administration is less than 5% of total educational spending, and the increased total expenditures don't reflect student enrolment increases, as you've said, and the increase, when you actually take student enrolment, is much less than the figures being bandied about.

My concern is that with the increased student enrolment that is to come, even if we got a commitment to reinvest the dollars that currently are going into education, we would still see a significant decrease in per student funding over the course of the next years. It has been made very clear that there certainly won't be new money for new students in the overall pot. The effectiveness of any funding formula is going to be totally dependent on the total amount of money that's in the pot to pay for the various components of the funding formula.

Stub-year funding is an issue that has come up in terms of the shortfall that boards are going to be facing between January and September, for a variety of reasons. Lynn Peterson gave some indication of the figure today, although I know it's not a final figure. She also talked about \$300 million to \$500 million in harmonization costs, which certainly runs counter to the \$150 million in supposed savings that amalgamation is to bring. Then today we have the performance contract from the Deputy Ministry of Education, which shows a further \$667 million to be found, to be put in place in the 1998-99 school year.

My question is, where are you going to go to manage those kinds of fiscal realities?

Mr Lynch: I wish I had the answer. I think I could market that one. I think I could sit here on behalf of not just the four boards we represent, but I suspect on behalf of all the public boards in the province. For the last four to five years, we have been stripping our budgets on an annual basis. Each year we think we've hit rock bottom, and we're forced to go lower. We're not certain, as CEOs and supervisory officers, that there's much left in our larder that we can come back to for another round or two of budget cuts.

We too are gravely concerned that the transition costs, the enrolment growth, the inflationary factors don't seem to have been accounted for, at least in so far as early discussions around stub-year funding or a new funding model are concerned. We fear that although there's talk of

stable funding for the first part of 1998, that stable funding is open to interpretation. Along with our officials and boards of trustees, we are looking at the potential to have to reduce costs even more, and we do not have simple solutions to that very complex problem.

Mrs McLeod: Do I have time for another question?

The Chair: You have another minute.

Mrs McLeod: I'll ask you to comment on how you feel the safety of our students can be managed in the face of what may come. I know that's not an easy question to answer.

Ms Haskell: As has already been indicated, each of us has communicated with our employees that our expectation is that they be at work, that they look after the health and safety of the young people of this province and that we do not condone an illegal action.

That being said, one of the prime responsibilities we have, and a number of us here are directors of education, is for the health and safety of those students. As this situation escalates and as the tensions mount, we have grave concerns for the safety of those young people. We owe it to the parents and we owe it to the students to ensure that they are able to attend our schools on a daily basis in an environment that is safe, yet what we hear from others is that there will not be sufficient supervision in our schools to provide for that kind of program.

That's one of the reasons I'd like to reiterate what has been said before: We're meeting on a daily basis with the federations, with our other employee groups, to see if we can't reach some local compromises, to see if we can't find some other resolutions to these issues. We, like you, have been following, minute by minute, the negotiations of today, because we are most anxious. We have, poised in our backyards, others of our staff who are waiting for direction from us in terms of what we should do in case this kind of action is announced. We are very concerned about the time line that will be provided for us to do all that we need to do to ensure that health and safety contingency plans are in place in all our schools.

Mr Wildman: Is 48 hours enough?

Ms Haskell: As one director facetiously said one day, it's better than a snowstorm at 4 o'clock in the morning.

Not under these circumstances. Not for the kinds of communications that need to take place with all our employees. I do believe if something like that were announced, there would be local opportunities to reach other kinds of agreements that would be most helpful.

The Chair: Thank you for your presentation here today. It has been most valuable to the committee.

Having finished our hearings for this evening, we are adjourning until 10 am tomorrow at the Royal Canadian Legion hall, 294 Vine Street North, St Catharines, Ontario.

The committee adjourned at 2030.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Jim Brown (Scarborough West / -Ouest PC)
Mr Tom Froese (St Catharines-Brock PC)
Mrs Lyn McLeod (Fort William L)
Mr Dan Newman (Scarborough Centre / -Centre PC)
Mr Gerry Phillips (Scarborough-Agincourt L)
Mr Mario Sergio (Yorkview L)
Mr Bruce Smith (Middlesex PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Ms Frances Lankin (Beaches-Woodbine ND)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Mr Andrew McNaught, research officer, Legislative Research Service

CONTENTS

Tuesday 21 October 1997

Education Quality Improvement Act, Bill 160, <i>Mr Snobelen</i> /	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, <i>M. Snobelen</i>	J-2485
Dominion Institute	J-2485
Mr Rudyard Griffiths	
Ontario Secondary School Students' Association	J-2489
Ms Erin McCloskey	
Ms Rebecca Hartley	
Ontario Public School Boards' Association.....	J-2494
Mrs Lynn Peterson	
Ms Sandra Anstey	J-2498
York Region Roman Catholic Separate School Board.....	J-2499
Ms Tina Molinari	
Toronto Teachers' Federation.....	J-2500
Ms Frances Gladstone	
Ontario Parent Council.....	J-2502
Mr Bill Robson	
Ms Mary Margaret Laing	
Mr Jordan Lannan.....	J-2507
Mr Richard Luft.....	J-2508
Ontario Association for Counselling and Attendance Services.....	J-2510
Mr Steve McCann	
Ms Jill Elliott-Brennan	
Ontario Federation of Labour.....	J-2512
Ms Ethel LaValley	
Ms Janet Koecher	
Board of Trade of Metropolitan Toronto	J-2517
Ms Louise Verity	
Mr Paul Fisher	
Mr John Bech-Hansen	
Ontario Public Supervisory Officials' Association.....	J-2521
Mr Terry Lynch	
Mr Ron Sudds	
Mr Grant Yeo	
Ms Patti Haskell	



J-76

J-76

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Wednesday 22 October 1997

Journal des débats (Hansard)

Mercredi 22 octobre 1997

**Standing committee on
administration of justice**

Education Quality
Improvement Act, 1997

**Comité permanent de
l'administration de la justice**

Loi de 1997 sur l'amélioration
de la qualité de l'éducation

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Wednesday 22 October 1997

The committee met at 1000 in the Royal Canadian Legion, St Catharines.

EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good morning, members of the committee and ladies and gentlemen. This is a continuation of the hearings of the administration of justice committee and its consideration of Bill 160, the Education Quality Improvement Act, 1997. The committee is most pleased to be in the city of St Catharines. This is the first visit to this city by this committee since the election in 1995.

The parliamentary assistant, Mr Smith, has a statement to make.

Mr Bruce Smith (Middlesex): Just very briefly, Mrs McLeod had asked for some clarification with respect to the relationship between Bill 160 and Bill 136 as it applies to non-teaching personnel. I'll simply table the response to that question this morning, if I could, for the committee's consideration.

SCHOOL ADVISORY COUNCILS OF
WEST ST CATHARINES SCHOOLS

The Chair: Our first presentation is from Barbara Paris or Sandra Ward. Good morning. Could you please identify yourselves for the purposes of Hansard — they're recording everything we say — and then proceed with your presentation.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Mercredi 22 octobre 1997

Mrs Barbara Paris: Good morning, Mr Chair and committee members. My name is Barbara Paris and I'm here to represent the parent councils of the schools of west St Catharines. To my right is Mrs Sandra Ward, who has helped me with this presentation.

As I said, I'm here to represent the school advisory councils of west St Catharines. This includes six elementary schools and one high school, with a total enrolment of approximately 3,500 children.

We, as concerned parents, have many expectations from the education system and we realize that working together with our child's educators will maximize the potential each of our children has. However, we are unanimous in our feelings that we do not expect the system to be entirely responsible for the education of our children. We strongly believe that this is a shared responsibility. I have personally been a partner with my four children's educators for 19 years and I intend to continue to speak on behalf of committed parents like myself for many years to come.

The sweeping changes proposed in this legislation will have, in our opinion, a detrimental effect on the future education of our children. The rapid passage of this bill is intolerable and our young people in this province deserve so much more than the perfunctory lip-service that this committee has been appointed to hear. We are curious to know why the justice committee was given this task, rather than a body of educational specialists.

Most concerned people agree that education reform is necessary and long overdue. Some of the proposals in this document may have merit, but after having attempted to plough through this document, at \$31.50 a copy, one may be hard-pressed to find any. As Mr Snobelen so futuristically prophesied, Bill 160 has indeed created a crisis and, if passed, will chart a course for catastrophe in our education system as we now know it. This is not an act of reformation, but rather a wholesale dismantling of an entire educational system.

If this government truly believes that its vision of educational reform is an exercise designed to save money, then it gives the people of this province no credit whatsoever. The real issue here is control. Money is not the issue. Isn't it a fact that the teacher's pension fund agreed to give Mr Snobelen \$800 million and it was refused?

If it is your contention that the current system is too costly, then by all means identify the wasteful areas and

cut them. But consider the alternative. If education is too expensive, then what price tag will be placed on illiteracy and ignorance?

If we are forced to allow this government's cabinet to make each and every decision regarding class size, teacher preparation time and the hiring of uncertified teachers, then we may as well send our children to private charter schools. But perhaps that's the government's intention.

Education cannot and must not be akin to an assembly line. Children are individuals and deserve as much encouragement and individual attention as the system will allow. The problem is that the people who know how to accomplish this are not the ones making the decisions. We will no longer have any local forum for discussion regarding bad decisions. Must everything be centralized to be cost-effective?

The rapid rate of growth in our area needs to be assessed and addressed at the local level. We implore you to allow local decisions to be made locally, by the people who know their own community of schools. Parents in large numbers all across this province have volunteered their collective time and effort to serve on local parent advisory councils. The intent, as we understood our role, was to provide local input into our schools. We are now at a loss to understand what our role could possibly be under the terms of this legislation.

The system has been decimated to skeletal proportions now and this government intends to pare that down further. We already have our children selling \$20 tins of \$3 chocolates to raise funds for items such as computer software and library books because this government has ruthlessly cut funding. How much more do you think you can cut before there is nothing left? We have already witnessed the successful elimination of junior kindergarten, all in the name of improvement.

The passage of this legislation will have an irrevocable effect on teachers, which in turn will filter down to produce demoralization in our classrooms. No one can function effectively in this type of atmosphere. We need committed, concerned teachers who love what they do and do it well in a climate conducive to learning.

This legislation will give the government carte blanche to do what it wants, when it wants and how it wants, without further consultation with anyone. They will exclusively control school boards, funding, classroom size, classroom conditions, taxation, length of the school year, teachers and school councils. In some countries this would be called a dictatorship. Politics has become a series of magical feats, all smoke and mirrors. Remember, you can fool some of the people some of the time but you cannot fool all of the people all of the time.

We, the school councils of West St Catharines, cannot let this government run rampant with our children's future. We cannot entrust these powerful decisions that will have such an adverse effect on our children's educational future to this government. Our children are our most valuable asset. They are the future of this province and this country.

The Chair: Thank you, Mrs Paris. We have one minute per caucus remaining.

Mr Tom Froese (St Catharines-Brock): Thanks for your presentation. I certainly appreciate your involvement in the schools as parents. Part of what the bill does is allow parents to be more involved in the operation of your own schools, giving advice on matters such as student discipline, student safety and local priorities. You talked about being concerned about local priorities, and certainly we are concerned about that as well. We need parental involvement in that.

Could you give us some advice on what more you could be involved in, how you want to be involved. Part and parcel of the bill is also getting the Education Improvement Commission to come back to us with that type of advice. Being here today, I'd like to know what your response would be to that. How do you see your being involved in making some of the decisions and insisting on making some of the decisions at the local level?

Mrs Paris: Thank you for the question. I appreciate it. As of now, we are just an advisory body. We can advise till we're blue in the face and nobody has to listen to us. In fact, we have no power at all. We get together. There are a lot of very concerned, committed parents who share the responsibility for their children's education who would like to be more involved. I would welcome any suggestions as to how we could be. We would like more input. Perhaps the Education Improvement Commission could have some parents serve on it and have some input.

Mrs Lyn McLeod (Fort William): I suspect that your desire to be involved might stop short of taking over total management of your school, but that's not the area I'm going to ask you about.

I share your concern about the loss of local decision-making. You suggest that one of your very real concerns with Bill 160 is the control that becomes vested not even in the hands of the provincial Legislature but of cabinet, and that's the power to make a whole lot of decisions that affect our children in their classrooms. But money certainly becomes a part of it, because I think that control is there in order to give the government the tools they need to cut costs and to do that by cutting teachers. We learned yesterday that in the performance contract of the deputy minister there is a plan to take \$667 million more out of education in the 1998-99 school year. I wonder if you'd want to comment on what you think that might do to your children's education.

Mrs Paris: I don't think it's going to do a lot to improve my children's education. I'm very concerned now. As taxpayers, we are taxed to death in this country and I quite frankly resent the fact that my children have to go out — it used to be 15 years ago that schools had wish lists of things they would really like to have, if possible, and we used to assist with playgrounds and things like that. Now we're buying equipment in schools that schools desperately need.

This government decided that computers were a big part of schools but it doesn't provide the funds to provide the software to go in those computers. We have legislation that says that computers should be a part of the

curriculum, but we don't have the tools to be able to use the computers effectively. My children are out fundraising to buy necessary things to keep their school running. That gives me great concern.

1010

Mr Wayne Lessard (Windsor-Riverside): Thank you for your presentation. I'm pleased that you're a couple of the people who aren't going to be fooled by what this government is up to with respect to this. I was wondering whether you enjoy a close working relationship with your board in your advisory capacity. I know you say you don't feel as though you have any power at all, but if you do have that working relationship with your board I'm sure they take into consideration the advice that you provide to them. One of the concerns I have is that this is diminishing the power that boards have and centralizing it at Queen's Park. I wonder whether there are fears that you have of that local responsibility being taken away that you're concerned about.

Mrs Paris: I'm very concerned about it. I think school boards will just become puppets for the provincial government. I think they'll just be told what to do and when to do it. I think the local school boards know their own communities best. That's why they're here. I think they're the best people to make decisions for the schools in their local community and it gives me great concern that people who do not live in this area, do not know the special needs of this area, will be making decisions on our behalf.

The Chair: Thank you very much, Mrs Paris, for your presentation this morning.

ONTARIO PUBLIC SCHOOL
TEACHERS' FEDERATION,
LINCOLN DISTRICT

The Chair: Our next presentation is the OPSTF, Lincoln district, Brian Feschuk. Future presenters, we have 10 minutes allotted for each presentation. On occasion I have to be somewhat abrupt, which is not my nature, in order to cut one off to keep our schedule, so please excuse me. Mr Feschuk, welcome.

Mr Brian Feschuk: Thank you. My name is Brian Feschuk. I'm with the Ontario Public School Teachers' Federation, president of our Lincoln district.

Thank you for the opportunity of being here this morning to discuss the implications of Bill 160. I would like to specifically speak about the involvement of teachers in any educational reform, the design of Bill 160 and the fact that there is a lack of involvement of teachers, which is crucial in any successful reform.

Those of us who have been involved intimately in public education for many years have been part of substantial efforts to enhance the quality of education. Today in our Ontario schools, through the efforts of concerned and committed educators, trustees and supervisory officers, working in partnership with parents and members of the wider community, the varied needs of students are being

met on a daily basis in a quality teaching environment. Through our cooperative efforts, we have come to realize that successful reforms or improvements in teaching practices which result in improved student performance come through the dedicated commitment of individual teachers.

Educational reforms have failed time and time again, mostly because reform has either ignored teachers or oversimplified what teaching is about. Reforms have often failed because the focus has been too distanced from the real classroom and the real world of teaching and learning. We in teaching have come to realize that there are no quick fixes, but there are quick failures. Decisions made without taking into account the totality of the school environment, particularly the day-to-day implementation strategies or what we call the gritty details of implementation reform, have little chance of success.

Major provincial reforms, in particular the reforms outlined in Bill 160, are doomed to succeed only in the sound bites of provincial politicians or in government's glossy publications. Successful reform will only be achieved with the direct involvement of teachers. Michael Fullan and Andy Hargreaves, in their book, *What's Worth Fighting For: Working Together for Your School*, developed the argument that "conditions for school improvement in the 1990s are favourable, but we must work on the right things. The right things are rooted in the basic working conditions and lives of teachers, as these in turn affect the learning of students. Improving teachers and schools is the key to improving students."

The components of Bill 160 in its present form fly directly in the face of the opinions of those experts who study school reform and understand the complexity of the task.

Major school reforms most often fail because of poor design, lack of adequate resources, insufficient training of teachers, short time lines, inadequate monitoring, lack of attention to dealing with the roadblocks involved and, more importantly, a failure to maintain enthusiasm and commitment to the project or the reform by teachers. Bill 160 at present lacks the necessary information which will show teachers and the public the details of funding and the resources which will improve the quality of education. Why would you be surprised with the reaction of teachers when the government fails to consult and fails to provide an open process, one with full disclosure of all details of reform?

Outside Bill 160, the government has introduced some quick fixes with which it hoped to convince the public that reforms are under way. I'm confident in saying that successful teachers have no problem at this time with the standardized report card, because we know the only effective reporting system is the continuous communication and dialogue between teachers and parents. Teachers do this very well and in many jurisdictions involve the students in self-evaluation and include them in teacher-parent conferences.

The recently introduced ministry curriculum will help to clarify grade level expectations, but we are curriculum.

That's what teachers do, that's what we're all about. We know that success of the curriculum is not in the design, not in the public relations exercise, not in the distribution to the public, but in teacher training and implementation strategies.

If we believe, then, that teachers should be involved in their working conditions, which leads to increased student performance, Bill 160 denies teachers their fundamental right to collective bargaining of their working conditions, which leads to the improvement of students' learning conditions. Limiting the scope of bargaining for teachers is a regressive use of legislative powers. If teachers are expected to be accountable for increased student achievement, Bill 160 should not limit or remove entirely the teachers' ability to negotiate the very conditions and terms of employment which will determine their effectiveness in reaching these goals. Restrictive legislation in this area will restrict teachers' abilities to focus on the right things.

Collective bargaining should not be portrayed as a negative force in education, but as beneficial in terms of conditions that improve learning, such as class size, academic and social support services, academic resources, preparation time and teacher training opportunities.

1020

System reforms are difficult and complex enough without the negative aspect of having teachers excluded from having involvement in determining the very workplace conditions which impact directly on the successful implementation of any educational change. I believe that specific working conditions which directly impact on a teacher's ability to manage the complex tasks of planning and teaching are best formulated at the local level. I find it very difficult to understand how a decision determined at a provincial level will be able to satisfy the myriad of individual differences in boards across the province unless the contents of the Education Quality Improvement Act and the subsequent regulations and cabinet orders have nothing to do with quality and improvement but more to do with money and power.

If a truly quality agenda is what the government seeks, one which will improve the achievement of students, there are some key thoughts to consider. You must remember that teachers have never abandoned the quality agenda. Ontario teachers are not opposed to meaningful change and they realize that change is essential for all of the students to respond and adapt to the society of the 21st century. But reform must be carefully planned and implemented, constructed around the existing excellence of our system of education as a collaborative, long-term effort involving all partners in education.

The main reason employees fail in the workplace is not a lack of employee dedication but because systems fail them. Successful reforms must elevate teachers to a more significant role in the process of change. Teachers are not just service providers, but key members of an integrated system.

From the beginning of the government's education reforms, the efforts of teachers have been publicly demeaned and undervalued. The politics of blame have been

used. There are many things right in our system which could be used as exemplary models for change. Complex radical legislation should not be pushed through without sufficient consultation and full disclosure of all the information. A team approach must be in place if reform is to be successful.

In conclusion, it is my belief that if a true agenda of educational reform of the government is the improvement of education, then your plan, which practises exclusion instead of inclusion, direct control rather than collaboration and true consultation, is doomed to failure. If, however, the agenda of the government is only to reduce expenditures by cutting millions, then surely your expectation of increased student achievement will not be realized. This will be to your discredit, for you will have deceived the public and at the end of the day you will lose their confidence.

The challenge of improving education can only be done through the day-to-day actions of empowered individuals. Those empowered individuals are the teachers of Ontario. Thank you.

The Chair: Thank you very much, sir, for your presentation. We have used 10 minutes. As a matter of fact, we've gone over for a minute, and unfortunately there's no time for questions.

Mrs McLeod: I understand that, Mr Chairman. I have a motion that I'd like to place before the committee.

The Chair: While we're having the motion, could the next presenter, Mr Paluoja, please come up to the table.

Mrs McLeod: That's fine, Mr Chairman. I understand that the news conference at 10 o'clock has given us the indication that the teachers of this province will be having to take job action in protest against this government's legislation and this government's agenda on Monday morning unless there is very significant progress made between now and then.

With that in mind and recognizing the fact that there are a number of clauses in the legislation that's before this committee that give the government the tools it needs to cut the \$667 million that we saw in the performance contract yesterday by cutting teachers and that cabinet has those powers, I am placing this motion. I'm not optimistic of it passing, but I feel compelled to place this motion because I think that we have to do something to call on the government to pull students and their teachers back from the brink of this crisis.

It is not a difficult thing to do, I say to the parliamentary assistant, because the parts of the legislation that could be withdrawn by the minister now, before this committee goes any further, could prevent this confrontation Monday morning from reaching the crisis stage.

My motion is that the Minister of Education be asked to withdraw the portions of Bill 160 which allow cabinet to cut costs by cutting teachers, in order to avoid a province-wide teaching strike on Monday morning.

The Chair: The motion has been properly moved.

Mr Bud Wildman (Algoma): I speak in support of the motion. I think we find ourselves in a very serious, grave

situation in Ontario in the education of students, an unprecedented situation where teachers and their representatives have been brought to the brink of taking a political protest action that will have serious short-term effects for them and for students and students' families, but that I think unfortunately will also have serious long-term effects for the whole education system in Ontario. I think it is incumbent upon the committee to do everything possible to assist in averting this confrontation.

The Minister of Education and Training said yesterday that he wanted further discussions. Nobody wants strike action — nobody. At least I hope nobody wants it. I know that the teachers don't want it, the students don't want it, the parents don't want it, the trustees don't want it, the community doesn't want it. I think it's important for all members of this committee to demonstrate that the members of all three political parties don't want it.

For that reason, I implore my fellow members to vote in favour of this motion. We need to have a cooling-off period during which teachers' representatives will be able to have discussions with boards. More important, the discussions that Mr Johnson has said he wants to continue can continue in an atmosphere that will not be charged with the hostility and confrontation that we've seen building up ever since Mr Snobelen said he wanted to invent a crisis a few weeks after he was first appointed minister and which has gone on with increasing intensity over the last two years.

I believe that the government and Mr Johnson have an opportunity, if they seize it, to turn this situation around. I believe if they don't, if the government does not move to try and step back, give us some time, give the community some time, consult in a serious way with teachers, they will be judged harshly, and they should be judged harshly, by students, by parents, by teachers and by anyone interested in the quality of education in this province.

I request, I hope that all members of the committee will be able to support Mrs McLeod's motion.

1030

I would only add that, in addition to the withdrawal of those parts of the bill that give the cabinet unilateral power by regulation to make significant changes that will allow the government to remove \$667 million, or whatever other amount they wish to remove from the education system by fiat, I believe the government must make a significant commitment now to reinvest whatever moneys they save through restructuring in the education system in classroom education for students.

If we could have that kind of commitment, I think we would be a long way down the road of turning the situation around, of being able to develop what the previous presenter said was necessary, a collaborative approach to education reform that will benefit students and will really do something to improve the quality of education.

I would hope that as a first step the committee will vote for Mrs McLeod's motion. Then we would move further to a commitment to reinvest savings in education for kids. I just am very, very worried and concerned, as I think all of us must be, about the ramifications in the short and long

term of this decision that teachers have felt compelled to take in defence not only of their own bargaining rights and working conditions but in defence of the quality of education for students and the learning conditions for pupils across the province.

The Chair: Thank you, Mr Wildman. Mr Smith.

Mr Smith: Thank you for the opportunity to respond to Mrs McLeod. Very clearly, over the last two days this committee has received some extremely important input in terms of the contents of this bill, in terms of the challenges that some would perceive are being presented with respect to Bill 160. I think that's important information for this committee to receive. Certainly from that perspective I would be of the position that the committee should continue and would recommend that to my government caucus members in terms of soliciting and receiving the input of various stakeholder groups across this province.

We've had two days of constructive input into the bill. This committee's work, in my opinion, complements the efforts of the minister, who is involved in direct negotiation with teachers' unions in this province. I see them as paralleling exercises that complement one another and not as an exercise that impedes the outcome of that work.

I would only say on behalf of government caucus members, and I think, in fairness, you alluded to it, Mr Wildman, all members of this committee are equally concerned about the future of public education in this province. That is why this government has undertaken the steps it has to reform the system. The system is in need of repair. We need to bring a new alignment of funding in this province so that all students, whether in St Catharines, Sudbury, in your home town of Sault Ste Marie or Ottawa, have the same opportunities available to them in the classroom. That's in part what this bill is about.

The \$667 million you're speaking of, I can tell you from the outset what I know. We, as a government, intend to provide stable funding through the school year into 1998. Over the last two days we've heard some valuable input, in my opinion, concerning some challenges around sub-year funding. Those warrant consideration.

At the same time I think it should be made very clear that this bill provides, as you and Mrs McLeod are well aware, the framework to bring a new financing mechanism to this province, one that's long overdue, one that's had careful consideration for some 45 years. Simply the government is saying today, "Now is the time to move ahead."

From that perspective I think it's appropriate that the committee continue to do its work. We have said in the interim that we will continue to fund up to \$14 billion to the education system, to provide the stability we need through the transition period and to provide the resources that both students and teachers need.

Bill 160, the education reforms the government is proposing, is all about students in this province. It's all about ensuring that student achievement is increased. It's all about ensuring that teachers have the resources they need to provide those outcomes.

I would be in disagreement with Mrs McLeod's motion and certainly would not be supporting it. I feel this committee is doing good work in terms of receiving input on the merits of this bill. This bill is not just about teachers' collective bargaining rights. It's about operationalizing our new district school boards, it's about education development charges and it's about establishing a new finance system for the province in terms of how we fund public education here. I think all those aspects need to have careful deliberation and consideration.

My observation over the last two days is that we've had some substantive input in terms of the bill. How to improve it and all of those considerations will be given their due evaluation as we proceed with the work of this committee.

The Chair: The committee welcomes Mr Bradley, in whose riding we are presently sitting.

Mr James J. Bradley (St Catharines): Thank you, Mr Chairman. I'll be speaking in favour of the motion by the member for Fort William. I will be very brief and not try to cover the other points that have been covered.

I think what has prompted the motion should worry members of the committee very much, and that is the release of the contract, a proposed contract for the Deputy Minister of Education which, despite all the denials we have heard from the former Minister of Education and others in the government, calls for a \$667-million further cut in funding for the field of education. It is going to prompt people to believe that the real purpose of this bill is simply to withdraw hundreds of millions of dollars more from the system.

What concerns me very much in a general sense as it applies to this bill is the government again moving by regulation, any government moving by regulation as opposed to legislation, because none of us who sits on this committee is sitting in cabinet. We do not have the opportunity directly to influence any regulations which are made by the government. When it has to come before the Legislative Assembly, all of us, regardless of what riding, regardless of what party, have an opportunity to have input through speeches in the Legislative Assembly, through discussion that takes place in committees and indeed through question period and statements made in the House.

What we're seeing in this piece of legislation that I think is really worrisome is allowing only the cabinet, only a few members of the Legislature, to make decisions which will have very drastic ramifications for the province, and to be doing it quickly and drastically and without, I believe, looking at the consequences of those actions.

I'll be supporting Mrs McLeod's motion this morning. I think it makes a lot of sense. I hope we have this cooling-off period, where there's a genuine dialogue that can take place between all the parties to this particular dispute that is taking place at this time, so that they can reach a consensus, so that they can reach an agreement, because I know of no one who wants to see the kind of confrontation we anticipate is coming as early as next week.

Mrs McLeod: I apologize to our next presenter for making him wait, but as Mr Smith, in speaking to my motion, has somewhat ignored the motion itself, and I can understand why, I feel the need to make sure it's the motion that is in our considerations.

Mr Smith, I have not suggested in this motion that this committee cannot continue to consider Bill 160, the bill that's before us. I believe that we can continue to look at parts of the legislation which can be accepted. In fact, we've had teacher representatives over the last two days who have presented a long list of things they can accept in this legislation. I believe we can continue to work to amend parts of the legislation which can be improved. There are parts of the legislation that deal with what I can only describe as the chaos that will begin on January 1 as a result of the massive school board amalgamations that are going to take place.

1040

I didn't agree with what the government did with Bill 104 and that amalgamation, but I understand that with that amalgamation now in law and taking effect on January 1, there are some steps which must be put in place to deal with the ramifications of the amalgamation and that Bill 160, in its parts, needs to be dealt with before that date.

My motion speaks to parts of Bill 160 that have absolutely nothing to do with the school board amalgamations that take place on January 1. My motion speaks only to those parts of the bill which have been inserted into this legislation to allow the government — the cabinet, in fact, because my motion speaks only to those parts of the bill which come exclusively within the control of cabinet — those parts of the bill that allow the cabinet to cut costs by making unilateral decisions about how many teachers we will have in our classrooms. Those are decisions that have always been made at a local level by people sitting down at a bargaining table, indeed, but trustees and teachers with commitments to public education and to the wellbeing of students in our classrooms on both sides of that table determining what is in the best interests of the students in their jurisdiction.

I don't believe it is in the students' interests to have those parts of the bill giving that kind of decision-making power to cabinet. But beyond that, it is not necessary for the government to have those powers prior to January 1 to deal with school board amalgamation.

I submit to you that the only justification for those parts of the bill being inserted at this time is to allow the government to continue with its other agenda, and that is its agenda to cut further costs. Mr Smith, you have spoken to the government's statement of having stable funding in 1998. You weren't precise by saying that the stable funding commitment only extends until September 1998. That is the commitment the government made. I am not going to quarrel with whether or not the stable funding is actually being achieved.

You spoke of the input this committee has received. Yesterday it received input from Lynn Peterson, the chairman of the Ontario Public School Boards' Association, who spoke to the fact that there could be as much as

a \$200 to \$300 shortfall on the so-called stable funding from January to September, but that's an issue for another day. I do, however, want to address the fact that there were no guarantees as of September 1998.

Ms Peterson yesterday, in testimony to this committee, said she had seen documentation from the government of the intent to take a further \$1 billion out of education after September 1, 1998. I'm not sure if somebody wants to suggest that Ms Peterson was lying when she testified to this committee yesterday. I believe she is a person of absolute integrity, and when she says she saw documentation from the ministry of intent to take a further \$1 billion out of education after September 1998, that is the absolute truth and confirms the ministry's intent.

That might have been moderated somewhat yesterday by seeing the actual performance contract of the Deputy Minister of Education, in which the government's intent may have been lessened from the \$1 billion to the \$667 million which was in the deputy minister's contract. Nevertheless, it is absolutely clear that this government's agenda is to take millions of dollars more out of education on top of the almost \$1 billion which has already been taken out. It is absolutely clear from every presenter to this committee that those kinds of cuts will devastate public education in this province.

I don't believe that this committee's work, in looking at the parts of Bill 160 which may need to be in place for January 1, would be in any way impeded if my motion were accepted and if just those parts of the bill which give cabinet the power to cut costs, to find those millions of dollars by unilaterally deciding how many teachers we would have, would be withdrawn. That is all my motion speaks to. But it would be enough, I believe, to prevent the crisis that could have 2.1 million students out of classes on Monday morning.

The Chair: If there is no other debate, I will —

Mr Wildman: A recorded vote.

The Chair: A recorded vote has been requested.

Ayes

Bradley, McLeod, Wildman.

Nays

Boushy, Froese, Rollins, Smith.

The Chair: The motion fails.

Mr Wildman: On a point of order, Mr Chair: My apologies. I have another motion to put before the committee in light of Mr Smith's remarks regarding funding and the confusion that seems to reign among school boards.

Interjection.

The Chair: In the event that you might feel more comfortable sitting back in the audience, please feel free to go back, but this is a proper motion coming up and we have to deal with it. Mr Wildman.

Mr Wildman: I move that the committee recommend to the provincial government not to proceed with the passage of Bill 160 into law until the Ministry of Education and Training publishes the total funding the provincial government will make available to the school boards across Ontario and the educational funding formula for the immediate-term and the long-term benefit of Ontario students.

The reason for the motion is that we all know on this committee that crucial to the issues that have led to the current impending confrontation is the question of how much funding is available for classroom education for students in Ontario and the fact that the government has chosen not to publish the funding formula, apparently, until after Bill 160 is dealt with by the Legislature.

As Ms McLeod indicated, yesterday we had testimony from the Ontario Public School Boards' Association that the chair had seen a ministry document provided to them in a confidential meeting that stated there would be \$1 billion removed by the Ministry of Education from education funding, from the total amount that is provided.

Then last week we had a public statement from the Minister of Finance who said that the government wouldn't necessarily have to remove \$1 billion from education. He didn't say they wouldn't remove dollars from education, but that they would not necessarily have to remove \$1 billion.

Then yesterday we had available to us this performance contract of the Deputy Minister of Education and Training, Veronica Lacey, for 1997-98, and it states on the attached page 2, 1997-98 performance contract, under "Fiscal," "Plan for the 1998-99 \$667-million reduction...."

Yesterday, representatives of the government called into question whether this was an authentic document, but subsequently the Ministry of Education and Training confirmed that it was indeed an authentic document, that it was a draft of the performance contract, and that has been public information today in the press. So we have this confusion and significant reason for concern.

1050

Neither the previous Minister of Education and Training nor the Premier have made any commitment to reinvest all dollars saved from restructuring in education into classroom education for students. We all know that on top of the previous cut of approximately \$1 billion from education and the fact that about 70% of school board budgets in Ontario is made up of salaries, whatever the number is, \$667 million or up to \$1 billion, the only way that magnitude of money can be removed from the education system is by cutting staff.

There's no other way to do it, and yet you have provisions under this bill to give regulatory power on class size, and the information we have been given is that the government intends to limit class size. There is tremendous confusion here. If you're going to lay off teachers to get the money out, which seems to be the main purpose, if you have a commitment from the deputy minister that she will save \$667 million, how do we protect the quality of

education for students in particular by limiting class size? The math doesn't work. I suppose I might be tempted to say that the government needs remedial math.

We need to know what the figure is. If the government would make a commitment, even if the Premier would now take the opportunity to make a commitment to reinvest in classroom education, in quality education for students, we might then be on the way to averting this confrontation — if they would make that commitment. But even if they don't, we must know, not just this committee but the public — the parents, trustees, school administrators, teachers, taxpayers, students — what the funding is going to be. How is the grant system going to work?

We know that under Bill 160 the government will control mill rates. Local school boards will not be able to raise taxes. The Treasurer has said education taxes will be frozen. So it's crucial that we know the total amount the government is prepared to provide in grants and how the grant system is going to work in order for us to understand the true ramifications of Bill 160. It is improper, inappropriate and wrongheaded to pass this legislation without knowing what the numbers are. No businessperson would approve a business plan without seeing the numbers. It doesn't make sense; it doesn't make common sense.

I would hope the members of the committee will support the motion so we can see how much money is going to be provided for students in the short and long term by the provincial government and so we can understand how the new funding formula developed by the Conservative government is intended to work, for the benefit or otherwise of students in this province.

Mr Bradley: I want to indicate my support for the motion, which I think is a very moderate motion in that it simply asks for information before the government proceeds with this bill.

Even people who would be in favour of the bill in a general sense surely would want to see the details of the funding formula unfold before they would make a final judgement. I think that is why the motion lends itself to support by all members of the committee, regardless of what our political affiliation happens to be. We have to look at the implications of the bill. I know the government is anxious to move forward. I have seen that in many pieces of legislation. I know that the government cut off debate on this bill in the Legislative Assembly through what's called a time allocation motion and provided for fewer days of hearings than most people would like to have seen, so I know the government is anxious.

But surely the people of this province, and surely the members of this committee and members of the Legislature, should be entitled to know what the funding formula will be. How much is the government anticipating it's going to take out of the system? Is it going to reinvest money back in the system?

Again, what prompts motions of this kind at this juncture in the committee hearings is the leaked document which has come out that contravenes what the Premier, the previous Minister of Education and the present Minister of

Education have had to say about the funding of education in the near future in this province, so wouldn't it be nice even for the government members who are not in the cabinet to know exactly what the funding formula is before proceeding with the bill? At that time, perhaps members of the government caucus might want to question the Minister of Education and the government further on this, or they may confirm their support. I don't know what that decision will be, but surely the issue Mr Wildman has brought forward, similar to the issue Mrs McLeod has brought forward, is the issue of having the knowledge of these items before the members of the House, who are elected by people across the province.

We're the only people they can get at. They can't get at the senior civil service. They can't get at the special advisers to the Premier and ministers. We're the only people they can get at because we're the elected people, and surely we should have all this information before the government proceeds further with this bill. If they're prepared to provide the information, then we are probably able to make a better judgement on what the implications are.

What we see in the newspaper, unfortunately, makes us worried that the real intention is to withdraw massive amounts of funding from the education system without looking at the true ramifications of the withdrawal of those funds.

I will be supporting Mr Wildman's motion and I hope other members of the committee see fit to do so as well.

The Chair: We have Mr Smith and Mrs McLeod.

Mr Smith: I will probably repeat some of my comments. I would only say to Mr Bradley that Bill 160 is not about being anxious; it's about providing leadership and moving the education system forward into the future, into a place where you, sir, had an opportunity to move it as a former minister of the crown.

We have continuously said that from the outset, as Mr Wildman and all members of the committee will know as respected members, that the government has been consulting about the new funding model since May of this year. Too often I have heard you say we are moving too fast. I recognize the funding model is critically important to the education system in this province. We are taking our time to ensure that we have it accurate, and that is where we are at.

We continue to seek technical and expert input into the model. That evaluation continues to take place. It has occurred throughout the summer, since May. We have received some four months of input from various individuals who were assigned the task of addressing such issues as base amounts for special-needs kids, amounts for children at risk and certainly how we bring about accountability in the financing of our schools. Those are all critical components of the funding model.

We have said in the interim that we will provide the base stable amount of \$14 billion. I recognize the input we received on the stub-year funding and the stub-year funding is critically important in that short period of time. We have said repeatedly that we will spend what it takes to

ensure that students of this province have the resources they need available to themselves and to their teachers to ensure the quality of achievement we expect from students and teachers in this province. That has been repeatedly stated, and that is a commitment I give to you again today.

The \$667 million you are speaking of — I apologize for being cynical yesterday, Mr Wildman. Please forgive me. When you wave a document in my face from across the room, I think it's appropriate that I question the authenticity of those things, but certainly the \$667 million is in the performance contract of a deputy minister. It is not related to Bill 160; it is related to anticipated savings that would be realized across the whole of the education reform package. So please do not tie it and communicate to the people here today that it's solely linked to the provisions of Bill 160. That's simply not the case.

Mr Wildman: No, but Bill 160 makes it easier to do it.

Mr Smith: I think as well you might realize that in that performance contract there is reference to some \$650 million in capital improvements. For the committee's information, that equates to about 30,000 new pupil places in this province. Your approach was to put kids in portables. Our approach is to put them in the classroom. Those are the types of things that are in that performance contract as well.

While we can debate around, and I suspect that Mrs McLeod will continue with her position on this issue and I appreciate it — she has been very consistent in that position — we will obviously, as government members, not be supporting Mr Wildman's motion.

1100

Mrs McLeod: I will speak briefly to Mr Wildman's motion because after Mr Smith's comment it is obviously futile for us to attempt to have any positive influence on what is to come. I guess I'm just feeling the intense frustration when I hear Mr Smith's response and when I know what is at stake. My God, if you don't need Bill 160 to get the \$667 million that's in the performance contract, then why won't you take those parts of the bill out that are causing the confrontation? Why not pull us back from the brink before those two million kids are out of their classrooms? Mr Smith, listen to what you've just said. You can't tell me that your government has identified \$667 million of savings anywhere else in any of your plans.

Your own minister has said that the entire savings estimated from Bill 104 and the restructuring of school boards amount to \$150 million. The same report that said there would be \$150 million saved said there could as well be additional costs incurred, and that school boards who presented yesterday said those additional costs could be anywhere from \$300 to \$500 million. Those would be costs that would have to be found in addition to finding the \$667 million worth of savings which you have just said is indeed in the performance contract not of a deputy minister but of the deputy minister responsible, in her performance contract, for finding between September 1998 and September 1999.

That's 2.1 million kids at stake here and you still want to talk about stable funding commitments when you know full well that the commitment ends on the very date that the deputy minister's performance contract begins. I find this so unconscionable that I can hardly begin to speak to it. I find it unbelievable that when there is so much at stake, we could have the parliamentary assistant — Mr Smith, I don't want to personalize this because I know you have no flexibility to do anything that has not been directed by the minister and indeed by the Office of the Premier of this province. This is not you. You are just in I think the unfortunate position of being the spokesperson today. But my goodness, please don't today talk to us about all the words that are in the funding formula. I know all the words. I know all the components. There's not a person here who would say that the words weren't the right ones. Mr Wildman's motion is about the dollars.

The funding formula words are meaningless until you put the dollars in place. That's all Mr Wildman is asking for in this motion at this point of crisis: "Let's have some light." We have had denial from government members, from ministers over and over again. Mr Johnson said yesterday: "I have never seen the performance contract. I know nothing about it." He may have only been Minister of Education for a week, but he was Chairman of Management Board. He's the one who controlled the purse-strings on behalf of the Minister of Finance. Don't tell me he doesn't know the fiscal agenda of the government.

We had Mr Eves last week saying: "It is not our intention to take a billion dollars out. The net result may not be a billion dollars"; and people said, "Government backs off plans to take a billion dollars out of education." Yes, indeed, \$667 million instead of a billion dollars, and yet still we're getting denials, we're getting word games being played. We're getting a government determined to ignore the evidence that is presented by people of the most outstanding reputation, like Lynn Peterson of the public school board, who said she saw the documentation of this government's intent to take a billion dollars out, and you want to ignore that.

You want to hiss every time somebody talks about your government's intent to take money out of education because you know what that will do to kids in a classroom, if that is your government's intent. You can't ignore the evidence any longer: \$667 million from September to September on top of what already has been done. You can't keep ignoring the evidence, you can't keep distorting the reality of what has gone on in our classrooms as a result of your cuts and you certainly can't keep distorting whose responsibility it is.

What happens to kids in classrooms when you take another \$667 million out is not going to be the responsibility of school trustees, whose role has been totally taken away, and it's not going to be the responsibility of negotiations; it is going to be your government's responsibility. That's why, Mr Smith, Bill 160 is about the \$667 million. The only reason you need those parts of Bill 160 that are at the heart of this confrontation is to get your \$667 million. You have no other way of getting it and

that's why you will not, and your minister will not, back away from those parts of the bill which are forcing this confrontation.

If that is not true, if everything I have said is not true, you can prove it by voting for Mr Wildman's resolution and let your government's agenda be known before this bill passes.

Interruption.

The Chair: I would remind the members of the audience that this is a hearing of the standing committee on the administration of justice. The orders provide that there is no demonstration in the audience. There are only a couple of rude people. Most people will abide by that, I'm sure. Thank you. Ms McLeod.

Interruption.

The Chair: I would ask you to leave, ma'am.

Interruption.

The Chair: I would ask you to leave. You are a person who will not abide by the rules, ma'am. It's unfortunate. Are you from this city? I hope not. It's an embarrassment.

Interruption.

The Chair: We'll recess for five minutes.

The committee recessed from 1107 to 1115.

The Chair: I would remind the committee members that we have used approximately one hour and we're one hour behind at this moment in our presentations. I just point that out. In any event, Mr Wildman was next on our list.

Mr Wildman: When I moved the motion I had hoped that it would generate some light on these proceedings. It appears that all it generated was heat. I understand that the lady who was so angry and who expressed her concern about the proceedings and was escorted out — she informed me that she used to work for Bob Welch as his constituency assistant, so she certainly was not a supporter of either the New Democratic Party or the Liberal Party. I think it's unfortunate that she was not able to make a presentation, because I would have liked to have heard her views with regard to this bill.

I'll just close off the debate — I won't prolong it, because unfortunately it looks like the government members will not support the motion — but I want to respond just very briefly to Mr Smith's comments. I preface that by saying that I have the highest regard for Mr Smith personally but, with respect, Bill 160 does have a direct connection to the savings that the government intends to take out of education.

As I said earlier, 70% of the budgets are salaries. If you're going to save a sizeable amount of money, the government has to get rid of teachers. Bill 160 makes it easier to do that. Many in the public don't understand the controversy around prep time, but by concentrating, through regulatory measures, the power at Queen's Park to determine how much time a teacher has in the classroom and how much time a teacher has outside the classroom to do her or his job, you determine the number of teachers in the system.

Mr Snobelen — not me saying this — the former Minister of Education and Training said that the changes

in prep time which are allowed for in Bill 160 would be 4,200 fewer teachers in Ontario. That was the figure he used. I didn't make it up.

If Mr Smith says that Bill 160 has nothing to do with the savings the government intends to take out of education, he's wrong. Mr Snobelen said it was directly connected. Mr Snobelen's estimate was a low-ball. The high-ball estimate is 10,000 teachers. I suspect it's somewhere in between. Probably 6,000 or perhaps 8,000 teachers will lose their positions or there will be that many fewer teaching positions in the province as a result of the changes that the cabinet will be able to make if Bill 160 becomes law.

Bill 160 is directly related to the savings. That's why we need to know from the government what the government's commitment is in terms of total dollars to be expended on the education of kids in Ontario. We also need to know from the government what the funding formula is and how it will work, what the grants will be. This is just to give us information. It is so the public will understand, and this committee will understand, and everybody involved will understand, what the government's exact commitment is in terms of funding before we pass Bill 160. They are directly related.

As I said in my earlier remarks, I don't know of any businessperson anywhere who would invest money in an enterprise unless he or she knew in advance what the estimates were: how much money would be expended on what and what the return would likely be. It just makes good sense. We should not be passing Bill 160 in the dark. We should know what the government's exact intentions are in terms of funding, because the government says Bill 160 is a bill to improve the quality of education. If it means laying off teachers, fewer teachers for the students of Ontario, I want to know how many fewer and I want to know how that will improve the quality of education for students.

Once again, I ask the members of the committee to support the motion. All it is doing is saying, "Let's not proceed." The government shouldn't proceed with Bill 160 until we all have the numbers. Then, if the government believes that it should proceed with Bill 160, it can proceed, but at least we will all know what the impacts are going to be, rather than doing this without the information.

The Chair: If there's no other debate, is a recorded vote requested? Recorded vote is requested.

Ayes

Bradley, McLeod, Wildman.

Nays

Boushy, Froese, Rollins, Smith.

The Chair: The motion fails.

ROY PALUOJA

The Chair: Mr Paluoja, we are one hour late and I apologize for that. Democracy is slow, but necessary.

Mr Roy Paluoja: Thank you, Mr Chairman and members of the committee. I appreciate the opportunity. Certainly I'm not pleased to be here discussing education today, considering what has happened and the threat of a teachers' strike occurring on Monday.

I would like to just make a brief comment first about the fact that I am an hour late. I have the greatest respect for the institution of democracy and the Legislature and the process that has been set up. I have the greatest respect for the fact that opposition members are placed in a position to oppose. I have the greatest respect for that, but I would ask that the members of the opposition please temper their particular speeches. I think it's more appropriate that they occur in the Legislature. Just to remind them that this is a public hearing. I have the greatest respect for the position that you have, but I have been delayed for an hour and I think that it had to be said.

The presentation: When I started off applying for this, I looked at this as an opportunity to express points of view on Bill 160. I have two daughters in high school. One is in her OAC year, the other is in grade 10. Also, I have taught for 18 years in the community college system in Ontario, and I'm presently employed that way. I have a great deal of concern about what is happening right now. The red flags are all out; we keep waving the red flags and we seem to miss discussing a whole number of issues in Bill 160.

I am very clearly of the opinion that certain things, such as the length of the school year, the school day, how much time teachers spend in class, the size of classes, should not be negotiated at the local level, at local collective agreements. I feel very strongly that what we have had in the past is the large teachers' unions — and they prefer to call themselves "unions" rather than calling themselves "federations" — going ahead and targeting certain boards. You have this full power of the unions taking on a board. Quite honestly, I don't believe those types of issues should be at the local level.

If we are going ahead and establishing standards for curriculum, establishing other standards, including for the College of Teachers, establishing standards with respect to testing — if we are going to establish all these standards, why can't we have provincial standards for the number of hours that a teacher is in the classroom? I do not believe, for the sake of equity across the province, that we have to have this negotiated. I don't believe it's negotiable.

When I say that, I really feel strongly that the teachers need to be involved in input to that. I wouldn't want this to be construed that teachers are not to be involved. I'm a teacher; I certainly feel that I should be involved in that.

When we have the ultimatums coming out from the teachers' unions — and I don't want to turn up the rhetoric today, believe me. I don't think it's the appropriate time to do it. But we have had a lot of rhetoric; the ultimatums have been thrown out there. I have real

difficulty with where we've reached, this particular point and juncture in time. I think that the unions have to make a decision whether they want to be federations representing all teachers in the province or whether they want to be trade unions. From that particular point, we can start discussing the various aspects that have to be dealt with.

To deal with the question of regulation, I'm not a lawyer but I have seen a lot of bills. Bills are passed and they have regulations attached to them. Those regulations that are attached to them, I don't see that we need to have every particular aspect and item placed in legislation every time. I know for a fact from my teaching experience that some bills are just a couple of pages long, yet the regulations that go with them are quite extensive. So I have real difficulty with the argument that we should be placing more in the bill, where it might in fact limit our ability in the future to do certain things.

The bottom line is, class size is not negotiable at the local level. I do not believe it should be there. I firmly believe that we need to keep it as it is at present, in the bill, and that we need not get into specific numbers.

I thank you for your time. If I have any time left over, I'll entertain questions.

The Chair: We have about a minute per caucus.

Mr Lessard: You've really focused on one of the regulation-making powers in the bill, and that deals with class size. But this is a bill that has some 260 pages and about 150 of those pages deal with the regulation-making authority of the government, so it isn't one of those two-page bills that is able to leave a few things to regulation.

My question deals with your support of the College of Teachers being able to set the standards centrally for teachers' qualifications. I was wondering if you support the provisions of this bill, in light of that, for non-certified non-teachers to be in classrooms?

Mr Paluoja: The wording of the thing — and maybe there is an amendment there. I would like to see an offer being made to the College of Teachers to come up with a proposal with respect to non-teaching positions; in other words, that we address them as being the body that actually looks at teaching credentials and the other positions that they come up with and propose to the government. I don't think there's anything wrong with doing that.

The Chair: I must interrupt and move on. Mr Froese, you have one minute.

Mr Froese: Thank you for your presentation. On anything to do with education reform, we've heard a lot from parents that they want to be more involved in decisions and have more input into the schools at the local level. Part of the bill allows for a greater input for parents on things like student discipline, student safety and local priorities. We're also asking the Education Improvement Commission to give us more input on how they can strengthen the role of advisory councils. Do you see that as a good step? How do you feel about that?

Mr Paluoja: I believe it is a good step. I would advise the committee, maybe, to remove the word "advisory" school council from that. I think it is contradictory to Bill 104, where you've just mentioned that the Education

Improvement Commission is charged with actually looking into the role of the school councils. I think the legislation, with the insertion of the word "advisory," does prejudice that it will be advisory. My belief is that some school councils in the province have gone beyond being advisory right now.

Mrs McLeod: Sir, I had already personally apologized to you for keeping you waiting, which I think is a matter of courtesy, but I cannot apologize for not being able to carry on as if things were perfectly normal at a moment when we face the kind of crisis that we do, of this magnitude.

I do want to ask you one question following from your presentation, because I think you indicated that you felt the teachers should have some involvement in the kinds of decisions that are being made, even though you don't believe they should be negotiated. The bill, as it's written, clearly makes it an exclusive cabinet prerogative to determine who should be a teacher, notwithstanding anything the College of Teachers might do, as well as how many teachers we would have. In what way would you see teachers being able to have any real input to a process totally controlled by cabinet?

Mr Paluoja: I'm not totally convinced that in public policy development the entire thing is developed in cabinet. I can't speak, but you have been in cabinet so maybe you have more insight than I do.

The Chair: I'm sorry, our time is up. Sir, I thank you very much for attending here today.

UWE KRETSCHMANN

The Chair: Mr Kretschmann. Mr Kretschmann is a trustee of the Waterloo county school board and a resident of Cambridge. Welcome.

Mr Uwe Kretschmann: Thank you. I can't find my glasses. Oh well, I'll muddle through.

Ladies and gentlemen, Mr Chairperson, first, allow me to introduce myself. My name is Uwe Kretschmann and I reside at 851 Queenston Road, Cambridge, Ontario. I must advise the committee that I do not represent the Waterloo County Board of Education nor, for that matter, do I represent any other organization. Further, I do not belong to any political party as a registered member.

I appear before you today in order to represent the facts as they are in my county and as the unions and the board have negotiated benefits in their contracts over the past few years and how these issues affect Bill 160 and the union leadership's disinformation campaign, waged not only in my county but indeed throughout the province.

First, a little history. With the implementation of the social contract, initiated and brought to fruition by the previous NDP government, the unions and the Waterloo County Board of Education negotiated an increase in class size to pay for the said contract. This negotiated contract resulted in a reduction of 202 teachers in our board. Hence, the teachers did not suffer any economic reduction in either wages or benefits. In the contract year 1995-96, the unions negotiated a further reduction of 59 teachers in

order to pay for the loss of the grid increases incurred during the social contract. This reduction in teachers, needless to say, increased, however marginally, class sizes one more time.

The only conclusion I can draw from this is that the unions, certainly in the Waterloo County Board of Education, did not hesitate for one moment to increase class size as long as that protected the economic position of their membership, all the while of course protesting that the provincial government wants to remove class size as a bargaining tool. In view of the aforementioned, I have to wonder aloud whether the unions want to retain class size bargaining as a means to protect their membership from economic hardship or to protect the quality of our education system. In addition, pedagogically speaking, if we accept the premise that a given class size could represent an optimum size, assuring a quality education of our students and a reasonable workload for our teachers, then the insistence upon negotiating class size by the unions raises more questions than it answers.

The second issue I would like to address is the replacement of fully qualified teachers ie, holding a valid Ontario teaching certificate, with people who are fully qualified to teach a given subject by virtue of experience and skill level exhibited over many years of work. The areas which fall into that category are keyboarding skills, guitar lessons and activity directors, to name but three.

The questions which arise are as follows: Why would a fully qualified professional teacher be perfectly happy to teach a rather mundane task such as keyboarding and find such a task professionally satisfying? Why should the taxpayer have to pay \$65,000 a year to a high school teacher to fill the position of — I lost my place; that's the reason that glasses are important — activity director who organizes school dances and yearbooks? I would reject such a function as demeaning to my profession and totally unbecoming of my qualifications to be teaching such a subject or to be engaged in non-teaching areas such as activity director.

Further, I should point out to the committee that much of the co-op programs, such as machine shop, auto mechanics, woodworking etc, is also offered at community colleges. The proposed amendments to Bill 160 would simply allow the provincial government, as conjecture on my part, since conjecture seems to be the in thing today —

Mr Wildman: That's because we don't have the facts.

Mr Kretschmann: It would simply allow the provincial government to find the most cost-effective means to continue offering such instruction. Why should the taxpayer have to pay for fully equipped machine shops at the community college level as well as at the local high schools? Clearly, it is not in the interest of the unions to admit such a point nor to tell the parents and students of our community the facts surrounding these issues.

Incidentally, I have brought with me the motions which support my previous contention on the negotiations of class sizes and the reduction in teachers.

In addition, I would like to make some comments about benefits which teachers enjoy. We do not enjoy 20 sick

days per year, plus receive the unused days at retirement paid as a bonus. The cost to the Waterloo County Board of Education was \$3.2 million, after revision of the budget, for 1996-97, a very large amount indeed. Further, teachers get one paid personal day and three paid days a year to attend conventions, which, I may add, is in addition to the 20 sick days.

In conclusion, I would like to make some general comments regarding the planning time issue. It costs the Waterloo County Board of Education about \$30 million a year to provide planning time system-wide. To put it in another perspective, that represents about 12% of the entire salary budget. Hence, the proposed reduction in planning time represents a rather minuscule amount in the overall context. No business — since business has been coming up recently — indeed, no other level of government would or could add 12% to its overall salary budget to allow its employees to plan day-to-day activities.

Clearly then, the teachers unions, certainly in the Waterloo County Board of Education, have used their bargaining skills to increase class size and diminish educational standards in order to protect the economic position of their membership. In addition, their opposition to differentiated staffing is demeaning to the profession and guided by the principle of greed, rather than a sincere concern about educational quality or opportunities for our students. The marginal reduction in planning time the government proposes has no impact on the professional standards of our teachers to deliver effective instruction in the classroom.

Having said all that, what I take the greatest objection to is the statement by the union leadership that any criticism I level against the current system automatically makes me a teacher basher, someone who does not care about our students or the quality of our education system. I find such a viewpoint outrageous and callous. People in a democracy have a right to criticize any institution without fear of being labelled “anti” anything.

When the most educated sector in our society stoops to employ fear factors — “If you reduce financing of the system, your kids are going to graduate stupid” — and employs the tactic that anybody who criticizes the system hates teachers, then I have to question the wisdom of having my children taught by such a narrow-minded and narcissistic system. After all, this is the system which is to teach our children the values of critical thinking, tolerance for divergent views and creative problem-solving. I guess they think such values apply to every other institution and person in the province, just not to the educational system.

The Chair: We only have approximately 30 seconds per caucus and we start off with Mr Froese.

Mr Froese: There have been a lot of comments on the involvement of different sectors of our society in the education system, those being — I'll try and go real quick — the government, the parents and the teachers. Can you give your opinion on what roles each should have in our educational system?

Mr Kretschmann: All of them should have input into the system. The exception is that over the last 30 years —

I don't know why this is a surprise around the table — it always has been top down ie, Queen's Park tells us what to do, where to do it, when to do it, how to do it. It's been that way.

1140

Mrs McLeod: I would assume that the motion you've attached to your presentation relating to proposed cutbacks to find \$17 million in the 1997 budget would be one — have I the right presentation, Mr Kretschmann?

Mr Kretschmann: This particular page?

Mrs McLeod: Yes, I have a motion here, “In view of the massive cutbacks....”

Mr Kretschmann: Oh, you all got the wrong one. That's all right. That was my motion back in 1995-96 to the negotiating committee at that time prior to —

Mrs McLeod: Right, which calls for total removal of all extracurricular activities, saving money by not having libraries or new books —

Mr Kretschmann: There are a number of other issues, yes.

Mrs McLeod: Has that been realized?

Mr Kretschmann: But make that comment contextually, please.

The Chair: Thank you, Mrs McLeod. Our time is up.

Mr Lessard: In the interest of time, I just want to say simply thank you and point out that if you're concerned about the impact of top-down decision-making, you should be concerned about the concentration of power in Queen's Park that would result from this bill.

The Chair: Thank you very much, Mr Kretschmann, for your attendance here today. We apologize for the delay in hearing from you. Safe journey back to Cambridge.

RICHARD MACKINNON

The Chair: Our next presentation is the Steele Street School Advisory Council; Richard MacKinnon, chair. Welcome, Mr MacKinnon. Please proceed when you're comfortable.

Mr Richard MacKinnon: Thank you. I'm a parent of two elementary-school-age children, I'm an elementary school advisory council chair and I am a teacher. As an interested parent and school advisory council chair, I have a strong interest in education.

There are several things which we require from the education system. To best help my children learn, we need empowered, respected, certified, professional teachers in every classroom from junior kindergarten to the final year of high school. We need a well-funded system in order to empower teachers. We need a government and a minister who respect teachers in order to have a public and students who respect teachers.

We need certified teachers to ensure that people with expertise in education are doing the difficult job of educating. We need professional teachers in order to maintain collegiality, teamwork and esprit de corps.

My sons need and deserve a school with stable and sufficient funding. Cuts to education have already been

drastic and this government continues to cut. My sons deserve better treatment. Provide the funding model to prove that this is not another way to pay for a tax cut, despite yesterday's leaked document indicating otherwise.

My sons need and deserve small classes for which teachers and school boards, despite the previous speaker's statements, have been bargaining for years. As funding has been reduced, class sizes have gone up. Let the teachers and boards of education pursue the small classes they both desire.

My sons need and deserve the rigorous and well-planned curricula which teachers can best design and implement with sufficient preparatory time.

My sons need and deserve extracurricular activities provided by professional teachers. The relationship between a professional willingly giving of her time, her energy and her knowledge will enhance the education of her students.

My sons need and deserve a quality education. For as many years as I can remember, my local school board has never faced a strike by teachers. Bill 160 has created this crisis. This government has created this crisis. The good rapport developed after many years of amicable relations is now being threatened. The government must find a way to avert the crisis it has created. My sons need and deserve for this government to shelve Bill 160.

As a teacher, I have a strong interest in education. The government proposes to reduce prep time. This reduction in prep time will lower the quality of education in Ontario. The government is only concerned with a financial saving. Time outside the classroom is put to great use by teachers. We cover the classes of absent colleagues, myself numbered among them today. We meet with students facing academic problems who have been withdrawn from the regular class. Each Thursday at my school we have a meeting between the principal, a guidance counsellor, the learning resource teacher and subject teachers to discuss students believed to be at risk. This government would have us believe that is a waste of money.

We mark essays, stories, assignments and tests. We complete paperwork on students with special needs and track student success. We prepare lessons and review new materials to use in class. We meet with our department head to discuss curriculum and other department matters. We arrange class lessons with our professional and certified teacher-librarian.

Reducing prep time is a two-edged sword. Teachers will have less time and energy available for students and will have a greater workload. The reduction in prep time is a cost-saving measure. Thousands of teachers would be removed from the system if this change was instituted. It defies logic that fewer teachers will provide more and better educational service. Do not slash jobs under the guise of promoting a better education system.

Cuts have already had an enormous impact on education. The government has removed \$900 million already and these cuts have hurt the classroom.

The challenges of the many changes already announced are being tackled by a reduced number of employees. The

government wants new curriculum implemented and school boards amalgamated, both of which are enormous tasks, to be accomplished by a skeletal staff.

Fewer students can stay after school for help and extracurricular activities because transportation has been cut back. This government is penny wise and pound foolish.

Junior kindergarten programs have been cut in many jurisdictions. The skills acquired in the first year of school are now delayed until senior kindergarten. This comes at a time when a rigorous new curriculum is being implemented. The best way to improve later learning is by providing an early access to education, especially for disadvantaged youth.

As funding has been cut, fewer teachers are retained to teach more students. Class sizes have been forced up by cuts to education. Further cuts will further increase class size. Fewer staff are available to provide the enrichment students crave. Scholastic, athletic, social, theatrical and other programs are being covered by fewer teachers. As these resources are stretched, the tension will increase, until the system breaks. Cut no more.

Bill 104 has created a quagmire of difficulties. Schools and boards are joining together and being broken apart all at the same time. These amalgamation plans are enough of a change to manage at one time. Further radical changes have been pushed upon the education system without consideration for the ramifications. There is a new guideline for curriculum in the elementary schools and time has not been given to implement that change. Secondary reform is slated to begin at the same time as elementary-age students may or may not be arriving with different skills and knowledge from their predecessors. Please slow down.

This government, through its uninformed actions, has poisoned the relationship with the very stakeholder group it most needs to implement current and future changes. Frankly, the appointment of a school dropout as a Minister of Education appalled teachers. His promise to create a crisis made teachers cynical. His musings over cutting \$1 billion made teachers angry. The government launched a \$1-million propaganda campaign at the taxpayers' expense. The new minister, we are to believe, is a voice of reason. His voice raises the same issues as his predecessor. His passion is labour disputes. Our passion is education.

The government abuses teachers, school boards, trustees and concerned parents. "Only a Minister of Education," the government says, "can solve the crisis in education."

1150

Teachers have dedicated their lives to education. Mr Snobelen, Mr Johnson, Mr Leach or even Mr Harris are interchangeable faces, supposedly with a commitment to education. These men have said that these changes are designed to improve education. Until two weeks ago, Mr Johnson didn't care about these education issues and Mr Snobelen never did care. They are disinterested in education and insincere when they tout references to

quality education and improvements, when in reality they are only concerned with the dollar and a power grab. Teachers live and breathe their chosen profession and care deeply about education in Ontario. Listen to us, as our hearts are in the right place.

Withdraw Bill 160. The pace of change in education has been too rapid. The government has alienated the stakeholders that are most needed to make change in education work. Too much power is given to the Minister of Education under this proposed legislation.

There have been many recent changes in education. The social contract and Tory cuts have placed a strain on the system. Everyone has been working harder and making do with fewer resources for at least five years now. Class sizes have gone up in relation to the funding cuts already.

Education is a sacred trust. The ambition of this bill is not to improve education at all. The government wants to tear up contracts and limit the right to bargain in order to slash spending. Who can be trusted to promote education: teachers who have dedicated their lives to education or a minister dedicated to slashing budgets? Withdraw Bill 160.

The Chair: Thank you, sir. There's no time for questions but there's about 30 seconds. Would you like to just conclude in some other manner?

Mr MacKinnon: No. I thank you for your time. I have 60 kids in my two classes this afternoon waiting for me.

The Chair: Thank you very much for your presentation then.

If we can move on, Enda Maguire is our next presentation. He's not here. We'll proceed to the next one and come back.

NORFOLK BOARD OF EDUCATION

The Chair: The Norfolk Board of Education, Lori Burroughs, vice-chair.

Ms Lori Burroughs: Good morning, Mr Chairman, members of the committee. Thank you for providing me the opportunity to present to the committee this morning. My name is Lori Burroughs and I'm the vice-chairman for the Norfolk Board of Education.

Our board serves a primarily rural area with 10,000 students located on the shores of Lake Erie. Historically, we have had a close working relationship with the community, the students and our staff. With me this morning are both an elementary and a secondary school principal with whom I have had the opportunity to talk about the implications of Bill 160 for students and staff: Ken Sheppard from Delhi District Secondary School and Peter Rasokas of South and West Lynn public schools.

During my presentation I would like to focus on the implications of Bill 160 in three areas: students, staff and community.

Students: Many students in our community work in agriculture. Accordingly, the school year calendar has a direct impact on their ability to complete the harvest. A delayed start, with greater flexibility for each school

board to determine the first day of classes and the organization of the school year calendar, is essential.

One of the basic premises of Bill 160 has been to provide more instructional time for students, especially at the secondary level. Reducing preparation time will not increase the amount of time students currently spend in the classroom. Decreasing the examination days to five days per school year, with the emphasis on student assessment during regular class time with a variety of relevant assessment techniques, would provide an additional 10 days of instructional time for each student.

Decreasing the number of professional activity days to five and providing opportunities for educators in the last week of August is another reasonable way of providing more classroom time for students while ensuring teachers and other staff have an opportunity to engage in professional growth activities and planning. In my discussions with teachers I am convinced that they support increased instructional time and learning opportunities for students.

Staff: The controversy over preparation time appears to be a major issue for both staff members and the provincial government. In our elementary schools, teachers receive 160 minutes per six-day cycle, or approximately 36 minutes a day. In the secondary panel, preparation time for each teacher is 40 minutes per day. As well, teachers have a standby period.

It would make more sense to assign specific duties during the standby period. These duties could include working with individual students requiring assistance, providing support to identified exceptional students, offering seminar groups, team teaching with other teachers, coaching and leadership activities. This would not effect a reduction in staff but would provide greater learning opportunities for the students and work towards the stated goal of the Education Improvement Commission. As well, there should be flexibility for boards to negotiate with teachers to reflect local needs and priorities. Bill 160 removes this responsibility and opportunity.

Community: The ability to raise taxes and involve the local community in the ownership of education is lessened through the impact of Bill 160. The Norfolk Board of Education's 1996 average cost per pupil was \$6,279, while the provincial average in 1996 was \$6,359. If one can assume that the purpose of Bill 160 will be to provide equal opportunity for students, then for the students in our community, this will be an increase of \$80.

As well, there has been a conscientious and successful effort to ensure that funds go to support the students for instruction in the classroom. The Norfolk board commits 81% of its budget to classroom instruction and 1.8% for administration and governance. Any changes to funding in education should ensure that this commitment continues.

One of the cornerstones of our community has been availability to trustees and staff. Parents, students and community members feel comfortable and are encouraged to contact their local trustee, senior staff and school level staff. Any changes through Bill 160 and the amalgamation of school boards should highlight the importance of local access and accountability.

In closing, I would ask that every effort be made to make the necessary changes to Bill 160 through consultation and involvement of teachers, students and the community. Since January 1994, our board has reduced 9.13% of the teaching staff and 4.4% of all other staff through cooperation and involvement of the employee groups. By working together, no employee lost their employment and the financial targets were reached. I firmly believe that the long-range solutions to education reform in Ontario require involvement, ownership and honesty.

Mr Rasokas and Mr Sheppard each have a question they would like to ask.

Mr Peter Rasokas: I believe you have my question in front of you, so I'll just read it out for the public record.

As a principal of two elementary schools with a student population of 500 students, I am deeply concerned over the provision in Bill 160 allowing individuals who have not been trained as educators to have responsibility in teaching our young people computers, physical education, guidance, library, music etc. In what ways do you think these individuals will improve the quality of education?

Ms Burroughs: Mr Sheppard also has a statement.

Mr Ken Sheppard: If the Education Quality Improvement Act, 1997, is a legislative strategy to ensure the highest quality of education, a worthy goal that students, parents and teachers strongly support, in the most cost-effective manner, a goal students, parents and teachers might like to support but are highly suspicious of in the context of the bill, would it not be in the interests of students, parents and teachers to expand these hearings to provide genuine opportunity for the stakeholders to respond?

The Chair: Does that conclude your presentation?

Ms Burroughs: Yes, it does.

The Chair: Thank you very much. We have one minute per caucus.

Mrs McLeod: I can't answer your question in terms of, "What ways do you think individuals who are not certified, qualified teachers would improve the quality of education?" because I think it cannot serve to improve the quality of education. The College of Teachers has made a presentation to this committee suggesting that cabinet not have the power to determine who should be a teacher and who should not be a teacher, so that the college, which does determine standards of professional behaviour as well as standards of certification, can continue to exercise that.

In terms of, "Should these hearings be expanded to include genuine opportunity for stakeholders to respond?" — absolutely. I think it's of note as we come to St Catharines that there is only one presenter who will have more than 10 minutes. It's one presenter who was on the minister's exclusive list who does get half an hour, whether they prove to be representative or not. I'm appreciative of the fact that you've at least come and taken a 10-minute segment to make some of your views known.

I think the Chair will tell me I don't have time for a question now.

Mr Wildman: I'd just make the comment that I moved a motion in the committee asking for the extension of hearings and the government members voted it down. I would forgo the rest of my time so Mr Smith can answer your questions.

1200

Mr E.J. Douglas Rollins (Quinte): One of the things you asked, Mr Rasokas, was what individuals can improve the quality of education. As we speak here today, I have two students from a high school working in my garage. We have a garage, a repair shop and a service station. They spend about two hours a day because their teachers feel that they will learn more there. We are not teachers. My mechanic is not a teacher and my wife who looks after my service station isn't a teacher. Yet those students go away very happy, very pleased that they've learned something. So I question whether or not the use of qualified people always has to be there to help people learn.

Mr Sheppard: May I respond to that?

The Chair: There is not time. Mr Rollins has used the time. Vice-chair and members, thank you very much for attending here today.

SECONDARY SCHOOL COUNCIL CHAIRS, LINCOLN COUNTY BOARD OF EDUCATION

The Chair: Our next presentation will be the Lincoln county school councils. Welcome. Please proceed.

Mrs Liz Palmieri: My name is Liz Palmieri. I'm the chair of the St Catharines Collegiate school council, the second oldest secondary school in Ontario. To my left is Kathy Dallaire, the school council chair of Sir Winston Churchill.

We are here today on behalf of the school council chairs from secondary schools in Lincoln county. When we met earlier this week, we were stymied about what we could contribute to these consultations on Bill 160. We are not experts in drafting legislation. We do not have the resources nor the time to pore over the language or the intent of the bill. We are not experts in the classroom. We do not know the ramifications in the classroom once the bill is implemented. But what we are is a group of intelligent and concerned parents who are appalled at the current showdown taking place over this piece of legislation.

For the life of us, we cannot believe that all parties involved do not have the same concerns at heart, which is that Ontario should have one of the best education systems in the world. We believe that both the teachers and the government want to ensure that the resources are available in the classrooms to achieve this goal. While this may be perceived as a motherhood statement, it is a lofty goal and one that all involved should strive for.

However, what has transpired to date in destabilizing the education system and demoralizing the teachers is reprehensible and both parties are to share the blame in this. While the government's goals are worthy, the speed

with which it is trying to implement change is too fast and without proper and judicious planning, especially given the massive amount of change and its potential impact. There are too many unresolved issues which are affected by this legislation. The speed with which these public hearings are taking place is making the Lincoln county secondary school councils feel that they are just window dressing so the government can say that the public has been consulted. The minister must show us that the input from these hearings will be considered as the bill wends its way through the legislative process.

While we appreciate the concerns and frustrations that the teachers are raising, they must be reminded that they are role models to their students. There is an entire generation of young people in the elementary school system who have learned a variety of methods of conflict resolution. The teachers are showing us that they are not practising what they teach. Instead of handing the government a document with 30 issues which must be addressed within 24 hours, they should be insisting that a true conflict resolution process be followed. Damn it, they are the experts in this.

This time last year the government proposed changes to the curriculum for secondary schools, curriculum which was to have been developed and introduced this fall. The response from parents, businesses and teachers was immediate and vociferous against many of the proposed changes. We applaud the government in listening to the concerns raised and slowing down the curriculum development process. By taking time, doing thorough consulting and considering the total impact of the new curriculum, a shared vision will be the outcome. However, this new process would not have occurred if the minister had not listened to the hue and cry from those who protested the speed and lack of forethought in implementing the proposed curriculum changes.

The secondary school councils are afraid that we are in the same situation again this fall, only on a much, much larger scale. We urge the new minister to put this legislation on hold until outstanding issues are resolved.

What can we as parents and council chairs do to contribute to this process? We are great believers in positive input to achieve results, so here's our list of suggestions.

We want any financial savings realized through the implementation of Bill 160 to be reinvested in classroom resources and we want this guarantee written into the legislation.

We are tired of hearing Grade 9 teachers talk about the poor communication skills of their students. We are also tired of hearing university faculty talk about the poor writing skills of many of their first-year students. While the government has instituted a new curriculum in the elementary school system and has started work on a new secondary school curriculum, there is an entire generation of young people clearly lacking these skills. We would like to see an immediate infusion of resources into the secondary school system to provide remedial work to improve the written communication skills of our students.

When the government talks about class sizes, please remove principals, vice-principals, special education teachers, guidance counsellors, social workers, psychiatrists and caretakers from the formula. These people are critical to our children's success in education. Determine reasonable class sizes depending on the needs of the curriculum. How much learning can truly take place in classes with 35 students?

We are very concerned with the amount of power that will rest with the minister after the legislation has been passed. It is our understanding that the current Education Act spelled out very specific powers and responsibilities. This specificity is missing in Bill 160. The regulations outlining the minister's responsibilities will come out after the bill has been passed into law.

With all due respect to the current minister, can you imagine the crisis that would be currently taking place at the secondary school level if the new curriculum had been introduced this September without any public consultation? If we had relied on the minister and the Ministry of Education to implement that new curriculum, the results would have been catastrophic. Bill 160 must be more specific concerning the scope of the minister's power. I'm sorry, but given this government's history, we cannot trust that without consultation the best system or regulations will be instituted.

Lastly, we would like to suggest that the process for developing Bill 160 take a breather for a while. As we said earlier, we are appalled at the grandstanding, stonewalling, threats and politics that are taking place. We would like to suggest that a process be established to get to the root of the problem and to develop a shared vision to develop the best education for our children.

I was at a local public school this week and asked them for a copy of their conflict resolution process. They lent me one of their posters, which I would like to share with members of the committee. While I hate to use this term any more, it is a "commonsense" approach to finding a common solution to the problems. Unfortunately, I can't leave the poster with the committee members but I can share the process with you.

We, as parents, urge the government and teachers' federations to take some time to cool down — interesting, it's got a little snowflake there; I don't know if that applies to the weather that took place last night — let each side tell his or her side of the problem, try to see the other person's point of view, brainstorm solutions together — I think the lightning bolt is particularly applicable in the poster — and act on your solutions.

This is a process that has proven to be successful. We are teaching it with success to our children, and we urge you to adopt it in any future negotiations around Bill 160.

The Chair: Thank you. That is certainly good advice. We only have 30 seconds per caucus.

Mr Lessard: Thank you for your presentation. I think you've offered some very good advice with it. I especially like your proposed amendment with respect to having a section in the legislation to guarantee that any financial savings realized be reinvested in classroom resources.

I appreciate your comments with respect to the speed that the government is going as well. Part of the reason for the speed is that they expect to take up to \$667 million out of the system. In fact, they've actually got that in a performance contract with the deputy minister and they are scrambling to try and find those savings.

1210

Mr Smith: I appreciated your presentation this morning. I don't say this in a condescending way, but it's refreshing to receive some recommendations in conjunction with the presentation. Certainly we'll take those under advisement because I think they're very thoughtful and warrant consideration.

Mr Bradley: Again, I want to compliment you on putting forward the point of how it is important that we know in the legislation and before legislation passes all the details of the legislation. I think the point you made about being apprehensive about governments having large regulatory powers where they do not have to show their hand, if you will, in the legislation but do so only in the back rooms of the cabinet would advance the circumstances we face now if the government were to take that to heart.

The Chair: Thank you very much for your presentation here today.

Jane Branchflower? As that person is coming up to the podium, let me say we should have finished at 12. We are obviously late. I assume I am just to proceed until a member of the committee says "enough" and we go over to the afternoon. Is that the way we're proceeding? Is there any objection to that? If not, Mrs McLeod.

Mrs McLeod: Just a very brief question. I appreciate the fact that Mr Smith has tabled a response to my earlier question and that for non-teaching employees who are covered by Bill 136 and who are not in boards that are amalgamating, they do not have to renegotiate their contracts. I would then have a second question and ask for a written response. Given the fact that non-teaching employees in non-amalgamated boards don't have to renegotiate, why is it that teachers are being required to renegotiate contracts even if their boards are not amalgamated?

JANE BRANCHFLOWER

The Chair: Jane Branchflower.

Mrs Jane Branchflower: Good morning, Mr Chairman, members of the committee. My name is Jane Branchflower and I thank you for the opportunity to appear this morning. I am a parent and a taxpayer in this province. I was born and educated in this province and hold an Ontario elementary school teacher's certificate. My husband's career took us to three other provinces of Canada, where I pursued my teaching career until our children were born in the province of Quebec.

When we returned to Ontario with our school-age children nine years ago after a 15-year absence, we were appalled at the state of education in this province and at the high taxes required to support it. Having seen other

systems with different standards, we were shocked that taxpayers here pay so much for so little.

During the past nine years we have paid thousands and thousands of dollars through our property taxes, business taxes and income taxes to support a system that does not equip our children with basic skills. Additionally, we personally have spent thousands of dollars on educational materials, private tutoring agencies and, finally, private school to support the learning of a child who, when tested by our local public school board, was determined to be very bright, with no learning disabilities.

I can think of no other tax-supported service which requires such heavy supplementation from its users. I'm not expected to get a shovel and fill potholes in my street or hire someone else to do it. I'm not expected to chase speeders or issue parking tickets. I'm not expected to volunteer to help the sanitation crew pick up the garbage on my street or to bring a ladder to change a burnt-out street lamp. These services are paid for in my taxes, just as education is.

Reform of our school system is long overdue. While a succession of governments have promised reform, this is the first government in a very long time to act on its election promises to improve the system and make it accountable. Bill 160 is another welcome step in the process.

We need departmental examinations to set a province-wide standard. A secondary school graduation diploma means very little unless something is known about the school which granted it. Currently the high schools in Ontario are ranked by the university admissions office in Guelph. The assigned rankings are not public knowledge. They should be. The public has a right to know how the local high school is ranked by those who have the power to admit their children to university or to college. I encourage the government to introduce secondary school leaving examinations to provide an external standard by which we may assess our schools.

Standardized report cards which report on the child's progress rationally and honestly to the parents will be a welcome change from the mystifying anecdotes which often tell more about a teacher's creative writing skills than a child's academic achievement. I hope that they have been designed in such a way as to prevent or at least discourage lying. Also, I do not believe that teachers should assign marks to things they do not actively teach. Our family has had to deal with both situations in the public school. Report cards are official documents and should be treated as such.

The simplest, most efficient, effective way of teaching students time-management skills, work habits and study skills is through a well-designed homework policy that begins with nightly 10- to 15-minute simple assignments in grade 1 and gradually increases to 30 to 45 minutes per night by the end of grade 6, based on and reinforcing some aspect of the day's work. A positive side effect of this kind of policy is that it keeps parents aware of and involved in their child's school life. It also promotes partnership

between the teacher and the parent in the scholastic achievement of the child.

I learned this when my oldest two children went to school in Quebec. They never objected or complained about having to do their homework; rather, they regarded it as a normal component of their school work. They found it strange that children in Ontario resent having to do it.

Education is a provincial matter. Therefore it is entirely reasonable that elected provincial representatives should have authority, through the Ministry of Education, over our schools to ensure fairness and equality of opportunity for all children in all areas of our province. I am surprised that the act has to be amended to provide this. If the government of this province does not run the school system, who will, the unions? I did not vote for any one of them. They do not represent the electorate, to whom the schools belong.

Bill 160, however, in at least one area — union bargaining practices — does not go far enough. All children in Ontario are entitled to receive the same quality of education. Their teachers, in order to deliver that education, ought to have the same working conditions, with whatever modifications are deemed necessary in isolated areas. Therefore, the unions that negotiate those working conditions should be doing it on a province-wide scale.

Combining the two unions representing elementary school teachers in the public schools is an excellent move, one that is long overdue. While I am relieved to see that principals and vice-principals are not allowed to participate in a strike by their bargaining unit and cannot be locked out by their employer, important for the safety of very young children in elementary schools, if education is essential to a successful future, then education is an essential service which should not allow strikes. I believe that the current leader of the Ontario Liberal Party in 1992 sponsored a private members' bill that would have removed the teachers right to strike. It's too bad you didn't pass it.

Additionally, on the subject of unions I want to protest the politicization of our children by their teachers. I have heard teachers claim that one of their prime duties is to teach their students to think critically. Indoctrinating students with union rhetoric makes mockery of that claim. This debate over the running of our schools does not belong in our classrooms, nor should it involve our children. They should not be made to believe that their education is in jeopardy, when it is not. Until now I believed that a teacher's politics were to be left at the door and I would like to see that made into law.

Annual audits of the boards, with the auditors' reports published in the local press, will force our boards to handle our tax dollars more prudently.

I hope that any regulations made by the Lieutenant Governor in Council concerning advisory school councils will give these bodies real authority in their schools. If not, concerned parents will turn cynically away from them with a "been there, done that" attitude. I know there is a prevailing view among the education establishment that many parents do not care or are not interested in their

children's schooling. Frankly, I do not know any of those parents. The parents I know care very deeply about their children's education. Knowing it is vital to their children's future success, they consistently go the extra mile to support their children's learning, even to arranging their work schedules to permit volunteer time at their children's schools. They are too busy, too jaded and too fatigued from supplementing their children's schooling to have extra time or energy to give to advisory councils that do not allow them a real role in their child's school.

Capping class size is a good plan, although small classes will not guarantee better results. Nevertheless, boards and unions must not be allowed to use class size as a bargaining chip since class size affects children directly.

I see nothing wrong with having our teachers teach for the same amount of time that their colleagues in other provinces do, and I like the notion of bringing individuals with expertise in various fields into the classroom. Secondary students particularly need exposure to people from the private sector who are familiar with the working conditions and requirements there and can function as role models, as well as providing students with insights into career opportunities. I think library technicians could replace teacher-librarians and cost less to employ. Why not consider ECE graduates who are trained specifically to deal with young children in junior and senior kindergarten?

Our school year is —

The Chair: I'm sorry —

Mrs Branchflower: Are we finished?

The Chair: Yes. Our 10 minutes have elapsed. I thank you very much for your presentation. You have filed with the committee a written submission by Susan H. Deathe and we will make copies and distribute that to the committee.

Mrs Branchflower: She wanted to come and couldn't.

1220

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION, BROCK SECONDARY TEACHERS' UNIT

The Chair: Our next presenter is OECTA, Brock secondary teachers' unit, Mr Larry Newton. Welcome, Mr Newton. We have 10 minutes, so please proceed.

Mr Larry Newton: The Brock secondary teachers' association, of which I'm proud to be the president, represents the Catholic teachers at the secondary level here in Lincoln county and approximately 3,000 students in five high schools — adults as well. We combine with our other affiliate members to comprise about 134,000 people in the province of Ontario.

I'd like to quote from the October 6, 1997, Ontario Hansard, in which at that time the Honourable David Johnson said:

"We know we have excellent teachers and we know we have bright students and we know we've been spending a lot of money in the system, yet the results we are

achieving on tests are not what we would hope for as parents and as residents of the province. I have the results of an international mathematics and science" — there was an interjection, and it goes on to say:

"The Ontario students scored under 55% in mathematics, in science scored about 57%. When I look at Canada in general, the students in Canada in general scored about 60% on both tests, which is higher than the Ontario level."

He proceeded to talk about those in Alberta and British Columbia, all as if those scores indicate that the students in Ontario scored below those. The concluding comments by the Honourable David Johnson at that time were:

"We have excellent teachers, we have bright students, and we spend a lot of money. Why are we not getting the results we should be achieving?"

The purpose of the presentation here this morning is to present to you, the members of the committee, the thesis that the original premise of the government with respect to the education system is flawed and, by extension, the methods by which the government proposes to alter the education system as put forth in Bill 160 are similarly flawed.

The test results to which Mr Johnson was referring demand a more sophisticated interpretation than he and his government have provided. The quoting of raw scores and the ranking of countries and jurisdictions taking the tests based strictly on these raw scores have been warned against by those associated with both the creation and the interpretation of the tests.

I've included attachments 1, 2, 3 and 4 at the end of my report which provide a further refinement of the test results, taking into account what is known and what is agreed to internationally as the opportunity-to-learn factor. When the raw scores of participating countries and jurisdictions are adjusted using this factor, Ontario students, as you'll see in attachment 4, achieve scores that are more than comparable on both the international and the interprovincial scales.

The government displays a high disregard for the intelligence of the people of Ontario when it presents the raw scores of international test results to the public, test results that government officials know, or ought to know, are not intended to be used in this fashion. To further insist that these scores in their raw state in any way indicate the desperate state of Ontario's educational system speaks more to the willingness of the government to manipulate the data to fit its agenda than it does to the true state of Ontario's schools. The government, however, continues to exhibit these test scores as irrefutable proof of an education system in crisis, an education system that is in need of immediate and wide-ranging changes.

We are not saying that change is not necessary. To the contrary, we welcome change, but we insist that the change is substantiated by untainted research. The system is not in crisis. Our students are not lagging behind their interprovincial or international peers, but there is room for improvement. A perfect example of that is the recent

national science curricula initiatives that have been put forth by the various ministers.

But what of the alternative? What if everything the government says about our education system were to be true? Would the proposed legislation address that problem?

Bill 160, as it is written, is not about the improvement or even the maintenance of the quality of education. Bill 160 is an extraordinarily disruptive piece of legislation. Under Bill 160, the provincial government assumes all the authority but accepts none of the responsibility. This legislation will bring an end to educational democracy.

Of particular concern are the sections of the bill which restrict the scope of bargaining. The government, as pointed out, is not above using faulty data to substantiate this draconian intrusion into free and unfettered collective bargaining. Bill 160 does not include a provision similar to those provisions found in Bill 100 which expressly stated that "all collective agreement negotiations shall be carried out in respect of any term or condition of employment put forth by either party." At the same time, Bill 160 does not contain any express restrictions on the scope of collective bargaining. However, it does introduce new regulation-making powers in a number of fundamental areas and it does provide that the Education Act and regulations are to prevail over the provisions of a collective agreement in the event of a conflict.

Let's examine some of the specifics. I will not read those, but those are the sections — and I have quoted them from the proposed act — which in our case would be classified as intrusive into the scope of bargaining. These are examples of the intrusive nature of Bill 160.

The government, through its minister, wishes to retain sole and exclusive rights over issues that historically have been the subject of free and unfettered collective bargaining between boards and teachers. The limiting of the scope of negotiations is a recipe for disaster, and a number of people much more sophisticated and knowledgeable on the topic have spoken to that issue over a period of time.

The Ontario Council of Catholic Bishops, on June 24, 1997, said in part: "Authentic negotiations can only take place between parties who have roughly equal leverage, who are empowered to make their own decisions, including that of using sanctions, and who are motivated to resolve issues between themselves."

The Ontario Education Alliance spoke on the issue when they said:

"Employees have a right to negotiate all matters dealing with earnings, benefits and working conditions. Some of these matters are so basic — the right to strike and the right to arbitration, for instance — that they are governed by legislation and not negotiable. Apart from these basic employment matters, however, all other factors can be the subject of employer-employee negotiations.

"Ontario will continue to enjoy economic growth and development throughout the long term if the province continues to fund public education, continues to make education freely and publicly accessible, and continues to have a community of teachers and education employees

whose employment is governed by fair and just collective negotiations' legislation."

More importantly, the Ontario Legislature addressed this in 1979, in what has been known as the Matthews commission. On October 30, 1979, the Honourable Bette Stephenson, Minister of Education, announced through a statement to the Legislature the establishment of a commission under section 9 of the Education Act to review the collective bargaining process between teachers and school boards which had been in place at that time since 1975.

One of the major issues reported on was the question of limiting the scope of bargaining, and I'll take the opportunity to quote the pertinent section:

"The Commission has carefully studied this issue and has come to the conclusion that open-scope negotiation is in the best interest of the parties' relationships under Bill 100.

"In our opinion, the decision on the number of teachers and their deployment cannot be isolated from other conditions of employment. The number of and the deployment of teachers by a board obviously affects the workload of individual teachers.

"We therefore see no merit in further complicating the bargaining process by creating an unclear definition of what is negotiable. Surely this would not facilitate the bargaining process or promote harmonious relationships between the parties.

"We believe that it is important for the long-term health of the parties' relationship that either party be free to air any legitimate concern at the bargaining table. To restrict the scope of bargaining by legislation could result in these complaints becoming suppressed, only to lie smouldering beneath the surface, ready to erupt in the form of a bitter strike at some future date over some surrogate issue that is negotiable. Maintaining open-scope negotiations in the collective bargaining process can assist in preventing unredressed concerns from inflicting harm upon the public in the form of an unnecessary strike."

In summary, the initial premise of the government fails when the supporting data are shown to be flawed. Even in the alternative, if the supporting data were to be acceptable, the method of redress as chosen by the government, namely a limiting of the scope of negotiations as contained in Bill 160, is doomed to failure at best and is a complete disregard for basic democratic rights at worst.

Thank you kindly for your time.

The Chair: There's less than a minute left. Is there anything further you would like to add? There's really no time for questions.

Mr Newton: I'd just like to say that this was written before the announcement this morning at 10 o'clock. At no time do the teachers of Lincoln county whom I represent wish to be anywhere but in our classroom Monday morning. Anything you can do, either by regulation or by suggestion or by pressure, to put the parties who are deciding that between now and Monday, we would encourage you to do anything and everything in your power to do so.

The Chair: Thank you very much, Mr Newton.

Could we have a five-minute break? I would like to proceed exactly after five minutes. My time is now 12:33, so we'll be proceeding at 12:38.

The committee recessed from 12:33 to 12:38.

LINCOLN COUNTY BOARD
OF EDUCATION
SECONDARY SCHOOL PRINCIPALS
AND VICE-PRINCIPALS

The Chair: I reconvene the committee. Our next presentation is Sir Winston Churchill Secondary School, George Thomas, principal.

Obviously, that is not correct. It's Joanne Bascom. Would you identify yourself properly and then proceed.

Ms Joanne Bascom: My name is Joanne Bascom and I am principal of West Park Secondary School here in St Catharines. I'm also the chairperson of the Lincoln County Public Secondary School Principals' Association. I'm speaking here today on behalf of the principals and vice-principals of this system and in defence of our 8,000 students. My thanks to Mr George Thomas, a fellow principal, for having secured this opportunity to address the committee.

I'm going to cover seven points in my remarks.

The most repugnant article of Bill 160 may be found on page 73 of the bill, so in this very thick document, page 73, section 170.1, is in my view one of the most interesting ones to regard.

What is the government's purpose in this bill? Last night on the CBC and on TVO, as I was watching, it was revealed that the Deputy Minister of Education has been directed in her performance contract to remove \$667 million out of education operations. Despite government denials in the media, this performance contract document now appears to be an incontrovertible fact.

How can this money be removed?

The use of uncertified personnel to teach in classrooms: Previous speakers have indicated and explained how uncertified personnel in the classrooms of Ontario would cost less money than certified teachers' salaries.

Money can be removed by a reduction in teacher preparation time at the high school level and the consequent loss of teachers across the province. In my very rough mathematics, approximately one in 10 high school teachers would be eliminated, a 10% reduction in the workforce, if prep time is reduced by one quarter. If prep time were to be reduced by half, as was originally proposed, my rough math says that would be a 14.3% reduction in the workforce in the secondary schools of Ontario.

How may money be removed from the system using the hammer of Bill 160? There is a lack of detail on the funding formula or the mechanisms for financing education, but the obvious centring of control of financial decisions in the hands of the cabinet would be a way of reducing money from the system.

I believe the seizure of control by the provincial cabinet of educational decisions that ought to be in the hands of professional educators and elected trustees again is a mechanism for reducing the funding to education. Regulating class size at the provincial level for the whole province is a case in point.

I believe Bill 160 strips many collective bargaining rights from 126,000 Ontario citizens, and previous speakers have spoken eloquently to this point.

I believe Bill 160 represents a dilution, not an improvement, of the quality of programs for students, and that will be inevitable if this legislation is enacted. With increased workloads, teachers will be spending less time with your son and your daughter.

An arbitrary lengthening of the teacher's working year, the teacher's working day, and the student's academic year without thorough and careful research I believe will be extremely damaging to the quality of education in Ontario.

These are the concerns of the administrators of the secondary schools of the Lincoln county public board of education.

The Chair: Thank you very much. We have a little over a minute per caucus.

Mr Bradley: Thank you very much for an excellent presentation. I want to ask two questions, and I'll ask them both at once so I can get them in.

The first is, what do you see as the consequences for education in St Catharines and the surrounding area, Lincoln county, of the significantly fewer teachers that you would have at the secondary school level? What would be the consequences of that for schools in our area, first of all?

Second, what do you believe will be the consequences of the further funding cuts by the provincial government? They've already cut \$533 million directly. They've confirmed \$425 million in other cuts. Now it's alleged that there's going to be \$667 million more cut out of the system. What will be the implications of that for high schools in Lincoln county?

Ms Bascom: The implication of fewer teachers — in my school, of 28 teachers, I could see two to three gone. Just translate that across to other schools in the city, in the province. The work that needs to be done is spread among fewer personnel. Obviously the quality of work, the quality of service delivered to students, will be diminished.

Another consequence of the funding cuts I think will be everything from materials in the classroom to social and educational supports for children, such as youth workers. These are all areas that are vulnerable and that we could possibly see diminished. I think that's a very real threat to the quality of education, particularly by reducing personnel who will deliver it. That's a very real danger.

Mr Wildman: I'm mystified why this bill is called a bill to improve the quality of education.

Ms Bascom: As a former English teacher, I am very mystified by this twisting of the English language.

Mr Wildman: You said that we need to know the funding, obviously. Would you support the view that we

shouldn't pass this bill into law until the Ministry of Education and the government make it clear what the exact funding will be for education in the province?

Ms Bascom: To me that seems self-evident, that it ought not to be passed. But it's not just the financial side of the bill that worries me; it's the other side.

Mr Smith: Thank you for your presentation. We've had a considerable amount of input on the differentiated staffing or complementary staffing issue, whichever name you want to apply to it. The Royal Commission on Learning addressed this and clearly indicated that there would be professional benefits to teachers, and I'm saying this in the context that I know as teachers you supplement your classrooms now. It's not a new concept. The Education Improvement Commission made specific recommendations for additional supports for teachers of outside experts.

Can the findings of these two, not only the commission but the Royal Commission on Learning, be wrong?

Ms Bascom: I think they can be misinterpreted and abused when they're implemented in the schools of the province. I don't think a skilled carpenter is necessarily a skilled teacher of carpentry. I believe the people in the classrooms of the province need to be trained, skilled teachers with teacher certification.

The Chair: Thank you very much, Ms Bascom.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 6, LINCOLN

The Chair: Our next and last-before-lunch presentation is OSSTF, District 6, Lincoln, Mr Bill Brown. Welcome, Mr Brown.

Mr Bill Brown: Thank you very much. I'm proud to tell you that I've been a teacher in this province for the last 32 years, that I've taught students from probably age 14 to at least 64. I come to you in the context of a teaching experience and certainly also as a parent with two adult children and a grandparent of two young children about whom I have lots of concerns relative to the quality of education in this province.

I also at the moment represent about 700 members of the Ontario Secondary School Teachers' Federation in Lincoln. I've never seen teachers as frustrated as they are at the moment, when they seem to be at total odds with a government that seems to be saying, "We have the same aims," but we don't seem to be able to come to any single purposes when it comes to resolving the issues that we are dealing with in Bill 160.

I've tried to outline for you at the beginning, on the first page of my written submission, a brief summary of the kinds of descriptions that teachers would have that would make up quality education in Ontario. Several of the earlier presenters have already spoken to some of the issues, and I know the committee has listened attentively and is interested in hearing other presenters as well.

I'm not going to read for you the list that I've presented. I am going to suggest to you that it seems to me there are some common goals that all of us might agree on and that our major problem is how we get there without destroying the system we already have that has by and large served us very well, for several successive generations at least, in this province.

It should be clear, I hope, from the list I have presented to you that teachers are not opposed to change. I'd like to emphasize that, because I believe for the people I represent, and certainly from personal experience, education has been in a constant state of change since I came into teaching in the middle 1960s. Sometimes it seems to those of us who are just a touch cynical that we tend to go round in circles. Sometimes it takes different lengths of time, but we still seem to come full circle on so many topics.

Teachers in Lincoln and in this province are sincerely interested in creating the best quality education system for their students of all ages. I hope this is a given, because I believe most of you have experienced that during the time you spent in school and in the context that you have with the public and with teachers in general.

We've certainly looked with dismay at what's happened with early education programs and with adult education programs across this province over the past several years. It seems to us that we need to focus at least partly on those two areas.

Having said that, I'd like to talk about one of the specific topics that it seems to me is involved in many of the topics on page 1, and that's the preparation time issue. Teacher representatives had the opportunity to speak to local MPPs in the past couple of weeks about this issue, and it seems to me there is still a fair degree of misunderstanding about what preparation time means and about what reducing preparation time means to the school system in Lincoln and across this province.

I've listed for you at the top of page 2 a number of activities that I see daily in our schools for which teachers use their preparation time. I also want to make clear, as the previous speaker did, that teachers are assigned for about the same amount of time on a regular basis to substitute for other teachers or for other duties within the school. You heard some of those suggestions from other groups earlier as well.

1250

I don't think any of you doubt that the school day bears very little relationship to the total time that a teacher devotes to the job of teaching. I'm sure some of you have friends and acquaintances who regularly spend their evenings and weekends marking and preparing and involved in a variety of activities that relate to the students they are responsible for.

The main point that we attempted to make to Mr Froese and Mr Sheehan in the past couple of weeks is that reducing teacher preparation time does not mean I get to devote more time to my students. If you give me additional students for part of my preparation time, whatever part that is, you're asking me to spend time with additional

students but you're certainly not allowing students to have more time with teachers and you're certainly not allowing me to have more time with the students I already teach.

If I already teach 90 students a day and you ask me to teach another class, what you really get as a result is less time with each of those students, because I don't have the time to work on individual problems that individual learners have. I don't have the time to create the kind of learning environment or materials that are necessary to assist students who need that help.

Ontario has prided itself on the fact that we have attempted to accommodate the needs of a huge variety of students, from new Canadians to your sons and daughters and mine to students who have all kinds of special needs. Over the years that I've been involved in teaching I can give you hundreds of examples of the way that teachers have attempted to meet those individual needs. If you take away whatever fraction of their so-called preparation time, all you do is reduce the amount of time available in total to all of those students; you don't increase the amount of time allowed for me to deal more effectively with students in a school context.

Some of the members of your committee here today have offered suggestions or comments along the lines of, "Learning does not necessarily take place in the classroom." I couldn't agree more. I've been involved in co-op education for very nearly 20 years in Lincoln county and I can tell you hundreds of very positive stories about the benefits of what students learn outside of schools.

That happens every day, and it doesn't just happen in co-op education. It happens in all kinds of activities that are organized around schools and it involves everything from sports to music to drama to hundreds of other activities. I don't think I should have to convince you, as thinking adults and for the most part parents, about the benefits to our children of the kinds of things they were able to do that were not necessarily in the classroom but were certainly organized for the most part by teachers around schools.

Down at the bottom of page 2, I've tried to outline for you what I see as some of the negative effects of cuts to teacher preparation time. I don't think any of them can be seen as leading to improved quality of education in this province. It seems to me that it has exactly the opposite effect. I think you would understand that teachers might be more than a little resentful when you talk about mandating working conditions that have taken 20 or 30 or more years to negotiate in this province.

We've had by and large very good relationships with our school board. There have been times when we've had major differences, but we've never had to resort to a full withdrawal of services. We've always been able to work out our differences. It has taken time. It has taken careful work. It has taken a great deal of talking, a great deal of consultation, to work out some of the major problems.

We've gone through a period of very serious downsizing both in terms of number of employees and in terms of our total school budgets across this province and in Lincoln county, especially over the past five years. The

toll is telling on our membership and they are feeling the stresses. We cannot improve the quality of education, we cannot assist our students, by simply saying teachers can do more with less. We have done more and we've done more with less, but we are at the point where if we don't have some very careful consideration of where we're going and how we get there, we are definitely on a collision course.

I fear greatly for the welfare of my grandchildren, because they have been denied access to junior kindergarten when they surely are ready for it. The royal commission, to which one of your members referred a few minutes ago, not only clearly encouraged it but insisted that we need to spend a great deal of time working on early childhood education.

We seem to have lost sight of the fact that we're not talking now about a few individuals determining what's best for the rest of our world as we know it in Ontario, but that we need to consult in a much broader fashion not just with teachers but with parents and the rest of the community, and we need to be able to assure ourselves that we are not moving precipitously through a process that does not allow for the consultation required to create the best quality education in the province of Ontario.

Thank you for your time.

The Chair: Thank you very much, Mr Brown, for your presentation here this morning.

The time is 12:58 and we're going to lunch till 1:30. We have a very heavy day. I believe we have 17 presentations this afternoon, so we need to start on time. I will see you all at 1:30. Thank you.

The committee recessed from 1258 to 1330.

ONTARIO PRINCIPALS' ASSOCIATION

The Chair: Good afternoon, ladies and gentlemen. If you would identify yourselves for the purposes of Hansard and then proceed, I would be much obliged. We have 30 minutes allotted for your presentation.

Mr Lance Gianelli: Thank you, Mr Chairperson. My name is Lance Gianelli, and I am the vice-president of the Ontario Principals' Association. Immediately to my left is Mr Paul Kelly, the secretary of the Ontario Principals' Association; and immediately to my right is Marlene De Rose, who is president of the Ontario Principals' Association. For the purpose of the record too, it should be noted that we are all practising, full-time principals. I will now refer committee members to the brief we have provided, and indeed you will see that it is a brief brief to allow some opportunity for dialogue, but it puts into the record the views of the Ontario Principals' Association.

On behalf of the Ontario Principals' Association, my colleagues and I are pleased to take this opportunity to discuss Bill 160, as presented to the House in first and second readings during the first session of the 36th Legislature of the province of Ontario in 1997.

By way of introduction, let me elaborate on just what the Ontario Principals' Association is and who we represent. The Ontario Principals' Association is a voluntary

group of principals and vice-principals from across the province. We choose to associate because of our common roles as educators and school administrators. Currently, we have approximately 900 members working in Catholic, public, government and independent elementary schools. There is no secondary school membership at this time. It is also important to note that our members are statutory members of their respective teachers' federations.

Bill 160's subtitle suggests four objectives of the government in presenting this bill to the House for the consideration of members: first, to reform the education system; second, to protect classroom funding; third, to enhance accountability; and fourth, to make other improvements. These objectives are said to be consistent with the government's education quality agenda, including improved student achievement and regulated class size.

Today we will argue that the bill as presented at both readings does focus on the first three specific objectives but that it clearly misses the mark with the general objective of improvement consistent with education quality. Little if anything in this bill deals with improved student performance. Indeed, this bill, like Bills 31 and 104 which preceded it, fundamentally deals with power and control, who holds it and how it is exercised. In many ways this bill tends to lay out the rules of engagement for stakeholders within the education system. It does not prescribe specific targets for improvement, such as anticipated classroom populations or how these targets would be achieved.

We acknowledge that subsequent regulations will specify many areas in more detail, but today we would like to deal with three specific areas of concern found within the bill. Further, we will highlight a broad spectrum of concern relative to aspects of the bill which we feel are labour-management issues. These issues need to be dealt with by the parties concerned in an honest forum for negotiations, without the pressure of an impending third reading. We will make recommendations for your consideration.

First of all, let us say that there are some aspects of this bill which we see as positive. By example, we were pleased to see that school councils are clearly defined as advisory. We were heartened that directors of education would continue to be expected to hold teachers' qualifications and that principals would continue to be "a teacher appointed by a board to perform...the duties of a principal" and that "a teacher" means a member of the Ontario College of Teachers. This stream of academic responsibility is important within an academic community.

We do, however, have the three concerns which I would like to highlight now.

Our first concern we have subtitled "Classes of Teachers." I will refer you to sections of the bill, and you may look back to these later.

Section 81, subsection 170.1(4), allows that by regulation "different classes of teachers" may be established.

Section 81, subsection 170.1(5), allows that "It shall not be presumed that a person is required to be a teacher."

These subsections are incompatible with section 1, which defines a teacher as "a member of the Ontario College of Teachers." Furthermore, in order to be a member of the College of Teachers, one must be "qualified to teach in the province and is required to maintain an Ontario teaching certificate." This quote comes from the College of Teachers.

Continuing with the bill, section 118, subsection (2), allows that a person who is designated under the previous clause, 170.1(3)(e), "is not required to be a teacher."

Unqualified teachers will lack the necessary professional training and background to succeed with learners in the 21st century. Multiclassing of teachers will dilute professional standards about to be set forth by the College of Teachers. So it follows that our recommendation in this area is that these subsections need to be amended by deletion from the bill.

Our second concern deals with the rights of membership for principals and vice-principals.

Section 10: Subsection (3) allows that the principals and vice-principals "shall remain on duty when the school in which they are employed is closed."

Section 123: Subsection 277.11(1) allows that "principals and vice-principals are not allowed to participate in a strike," and continuing in 277.11(2), allows that they "shall remain on duty during a strike."

These sections effectively transfer key elements of the School Boards and Teachers Collective Negotiations Act into Bill 160. By doing so, it limits the rights of membership for principals and vice-principals within their respective bargaining units and again creates two classes of members. Principals and vice-principals acknowledge their duty of care to students. However, once this duty has been fulfilled, they should be allowed to participate fully with their federation.

Our recommendation is that these subsections need to be amended by substitution, allowing for principals and vice-principals to exercise the same rights as other federation members, once their duty of care to their students has been fulfilled.

Our third area of concern is the lack of public accountability for the Education Improvement Commission.

Section 133, subsection (4.1), allows that the Education Improvement Commission would continue but end on or before December 31, 2000.

Section 138, subsections (1) and (2), allows for "no proceedings or damages" to be brought against members of the commission, members of committees or other persons acting on behalf of the EIC.

These provisions extend the immunity currently offered to these public officials, all of whom report directly to the minister. These employees of the government have authority without public accountability. Why should they not be governed by law?

Our recommendation is that these subsections should be amended by substitution, allowing for members of the EIC and its committee or others acting on behalf of the EIC to be subject to all federal and provincial laws.

1340

Our fourth concern is the spectrum which I mentioned earlier, the labour-management spectrum that is found deeply embedded in this bill.

The deepest issues of concern for all Ontarians are those which have emerged to pit the province's teachers against the government of the day. These issues can all be grouped under the labour-management dispute umbrella. Again, these are issues of power and control.

The government has an economic-political agenda, while teachers have enjoyed decades of collective bargaining with local trustees. The recent assent of Bill 104, the Fewer School Boards Act, has upset the equilibrium within the province. Now with little authority and vast geographic responsibilities, boards cannot balance the power of the central government. Teachers' unions understand the implications of a law which permits the unilateral authority of the Lieutenant Governor in Council to make regulations concerning education. Many areas identified in Bill 160 will determine a teacher's conditions for employment and later govern the teacher's conditions of work. Caused by regulation, any input can be sidestepped.

Historically, such matters were negotiated through the collective bargaining process. While Bill 160 outlines a new collective bargaining process, it also delimits the scope of such bargaining. A Lieutenant Governor in Council's regulation allows no mechanism for public input in advance and no due process for review once implemented.

Subsection 7(3), subsection (5), allows for regulation to require up to five days of work preceding the start of the school year.

Subsection 7(11), subsection (7), allows for regulation to prescribe the school year, terms, holidays etc.

Section 81, subsection 170.1(1), (2) and (3), allows for regulation to determine class size, teaching time and other duties.

In this case we offer two recommendations to your committee for consideration: Recommendation 1 is that these subsections need to be amended by deletion in order to draw the teachers back to the bargaining table; recommendation 2 is that these subsections may need to be declared inoperative in order to provide the necessary time for honest negotiations to take place. The Lieutenant Governor in Council should appoint, by order, a joint committee of stakeholders to: determine a resolution mechanism for disputes surrounding conditions for employment and conditions of work; rescript these sections ready for amendment by substitution.

In summary, Bill 160 has become a lightning rod for controversy. It strives to reform education while promoting the quality agenda. In its present form it fails to do so. Instead of achieving consensus among stakeholders, it serves to divide traditional partners and places the government at odds with its teachers. As an all-party review committee, we call upon you to put partisan politics aside and reaffirm the underlying values of the democratic process. Governments must be responsive to

the needs and input of all its citizens and then enact change through the legislative process. The government should not be given the unfettered use of resolution by the minister or the Lieutenant Governor in Council. Collective bargaining has a place in dispute resolution.

Provide this minister with the amendments necessary for the government to bring all the stakeholders back together again. It is only then that the true pursuit of the quality agenda can begin in earnest.

The Chair: We have just under five minutes for each caucus.

Mr Lessard: I want to thank you for your presentation. I note that you saved the best for last with respect to your concerns and your suggestions. That was with respect to the labour-management issues. I'm sure you did that in anticipation of this morning's announcement with respect to the intentions of the teachers. There was a motion that was debated earlier this morning — however, it was defeated — that was attempting to address the concerns you raised with respect to trying to bring the teachers back to the table and avoid this impending catastrophe that is set to happen next Monday.

You make these recommendations, I would think, from your long experience in the profession. I wonder if you think that the recommendations that you've made to remove those subsections are indeed going to be enough to bring the teachers back to the bargaining table.

Mr Gianelli: That would have to be a question you would direct to the union leaders. As a voluntary organization, we can't respond to that. What we are suggesting to the members present is that you need to buy time for negotiations to continue so that girls and boys can be in school. Currently, we have the situation where a third reading is imminent. That third reading is causing the time frames. We're suggesting that there might be a way that your committee can cause the government to extend the time deadline. We feel honest negotiation needs time.

Mr Wildman: I agree with you completely. I think you would agree we're in a completely unprecedented situation in education in Ontario, where an essentially small-c conservative group, the teachers, have become so concerned and upset about the future of education and their own collective bargaining rights and their jobs that they're prepared to take what I said was an unprecedented action, which I suspect will put your members, as well as the students and a lot of other people, in a very difficult position.

I think there needs to be a cooling-off period. There needs to be time for both sides to rethink, to look for new solutions and to consult in a meaningful way with one another, keeping in mind that the students are the most important people in education. I very much appreciate your presentation and hope that, on all sides, cooler heads will prevail and that we can have some time to really work these things out, recognizing the success of the collective bargaining process since Bill 100 was passed and keeping in mind that the students are the people the education system is supposed to serve. It's most unfortunate that

they will be used by both sides to try to make a negotiating point.

Mr Smith: Thank you for your presentation this afternoon. I was particularly interested in page 3 of your presentation, which dealt with concern number 2 and the rights of membership for principals and vice-principals. When I met with principals and vice-principals in my own riding, as you can appreciate, we had some fairly direct and energetic discussions around the whole issue of whether or not principals and vice-principals should be included in the collective bargaining unit. I accepted their viewpoint and subsequently conveyed that to the minister.

The government of Ontario has accepted the viewpoint that you play a different role and it was not appropriate to pull you out of that collective unit, given the leadership and managerial and collegial requirements that you have within your school community. Having said that, given the discussions we have, I'm somewhat struck by the viewpoint presented here by comparison to what I heard in my own constituency office. If principals and vice-principals are to be, as I suspect they are and fully agree with, the professionals they profess to be, why then would you make this proposal?

Mr Gianelli: By way of introduction, my school is in London, Ontario, so I'm sure you've spoken with several of my colleagues. The Ontario Principals' Association is not suggesting in this that principals and vice-principals should be removed from their federations. To the contrary, we are acknowledging that the minister has made a decision to allow principals and vice-principals to be full statutory members of their federations, as they have been throughout the history of federation.

1350

What we are saying today is that by transposing elements of Bill 100 into Bill 160, you continue to put principals in a situation such as they will be placed in on Monday, where, as full statutory members, they have a conflict of law. Our recommendation on page 3 that you refer to is simply to take a look at the conflict that is created by making that transposition from Bill 100, and to amend by substitution a form in which principals and vice-principals can see to the physical care of their children and then be able to participate with their colleagues.

Mr Smith: Thank you for that clarification. What do you envision the role of principals and vice-principals of the future to be?

Mr Paul Kelly: Given the situation we're in right now, it's certainly up in the air, I guess. The bill specifically lays out what the expectations are. The present act that is in place specifies the role of the principal and vice-principal and their duties. For us to speculate — again, we represent a group of principals and vice-principals, we don't represent every principal and vice-principal in the province. It's really a difficult position, given the fact that we're in the federation as well as representing on this particular committee. It's difficult for us to expand on what the role might be in light of the present legislation that's in front of us, but we do know that we have an expectation, given what's already in place.

Mr Smith: I appreciate the complexity of the situation you're in, but surely you're not handcuffed by federations in terms of having a vision of what you think you ought to be doing in the future in terms of your involvement in your own school community or as colleagues in this association.

Mrs Marlene De Rose: I would say, if I may speak, that our view of the job as a principal in the school is very clear in most of our minds; it has much to do with the expectation that our communities have of us. We certainly are the lead teacher. I still do teach, not on the timetable but I certainly do teach, although I hope not many of my staff are listening because I think they might challenge me on that this year.

I think it is important that we maintain a consistent contact with our children as well as our staff. I think another major role that we play, have always played and will continue to play, is the role of liaison with our community, and not just the parents in our community but the business members in our community as well. We do represent the values in the belief system of the children who come from the community that we represent.

Mrs McLeod: I too am glad you're here. I was concerned when we saw the minister's original list that there was no principal representation, and a few minutes later, when a revised list was presented and we saw the Ontario Principals' Association. I said to Mr Smith at the time, "I'm not exactly sure who they are." I know about elementary associations and secondary and separate school and public school. I'm now glad to know who you are and appreciate your explaining the membership to us.

I also appreciate the fact that you have addressed what in my view is the key issue in being able to step back from the brink and provide a cooling-off period that might allow us to avoid the confrontation that's brewing on Monday. People who have been sitting through the committee today will know I'm feeling rather emotional about the whole thing.

Just before lunch break somebody said, "We've come full circle." I think that's true, unless we go into full retreat. I feel today as though we're into full retreat. I think that because I got drawn back into school board politics a lot of years ago, before Bill 100, in the midst of a brewing strike — there were no strikes then, of course — confrontation with the OSSTF.

My personal goal throughout what became an unprecedented job action — mass resignations, a very bitter local situation — became to talk to whoever called me — your phones explode, I warn my colleagues, in a situation like this — to try and persuade them of the validity of the other side, knowing that at the end of the day we'd have to work together in the interests of education.

I actually think that if this committee had some authority we might be able to sit down in a locked room and make some proposals that would provide that cooling-off period, but I'm not sure that we aren't largely peripheral to what's going on.

My first question to you is, what teachers are facing in your school, the casting of teachers as enemies, as not

being trusted, has the government created such an enmity with teachers that, however this ends, whenever it ends, real partnership for education is going to be virtually impossible?

Mrs De Rose: If I might respond, when we went back to school this fall — I'm going to go about this in a circuitous route — already there was tension in the air. At one of our early staff meetings when we were planning the fall curriculum, one of my staff members said to me: "I can't do this. I don't want to do this. Why are we doing all of these changes again? There is another new curriculum. You're making me do this all over again. I'm frustrated. We don't know what's going to happen." I said: "May I tell you something? Your job is to work with the children in the classes every day. They will arrive expecting you to meet them at the door with a smiling face and a plan to keep them actively involved in learning. My job will be to try and carry you over that sill to the political agenda."

As administrators, what we've been trying to do in our schools — all of us, not the three of us, but administrators across this province — has been to attempt to keep our teachers protected so that they can deal with the issues of the day with their children while we try and deal with the larger issues with the government.

We've done a very good job of that. I pat all three of us and all the rest of my colleagues on the back. The fact that our teachers are so up in arms says something to me: "I have had enough." One of my teachers who walked on the picket line a few weeks ago said to me: "I have sunglasses on because I really don't want anybody to see me, but I'm here. I'm a very tall lady and there goes my husband and he's waving to me. You know what? I need to stand up and be counted because everything that I have done for 25 years is going down the tube because nobody will listen to me." That's my answer.

Mr Gianelli: Mrs McLeod, may I give another perspective on this as well? Each morning when I get to my school at quarter after 8, my gym is already active and has been active from quarter to 8 in the morning. There are three teachers in there with a group of children. Every day at noonhour that facility is being used by children and men and women who work for you. Every night when I'm leaving at quarter to 6, that gym is still going on.

The teachers in this province are trying to — we're elementary school principals — certainly keep it away from the children. They are continuing to provide the kinds of service that all of us and all of you can be proud of. Can we see a future after this political protesting and after Bill 160 is amended? Certainly we can.

Mrs McLeod: If it's amended.

The Vice-Chair (Mr E.J. Douglas Rollins): Thanks for your time. It has expired. Thanks for the presentation.

ST CATHARINES AND DISTRICT COUNCIL OF WOMEN

The Vice-Chair: I would like to call on the next presenter, the St Catharines and District Council of Women, Mary Potter.

Ms Milica Kovacevich: This is Mary Potter, who is the president of the St Catharines and District Council of Women. My name is Milica Kovacevich and I am the secretary of the council and will be making the presentation today.

The St Catharines and District Council of Women was founded in 1918, and we are one of 22 local councils now in existence across Canada. Our mission is to work towards improving the quality of life for women, families and society. The Council of Women is an umbrella organization affiliated with groups spanning religious, cultural, professional, political and social service groups. The St Catharines and district council consists of about 20 affiliated groups and an equal number of individual members. Through a resolutions process, policy is set at the international, national and provincial levels of council, and we are obliged to speak only to this policy that has been democratically set.

1400

With this in mind, I will address only certain areas of Bill 160, those that we have a policy on. Since 1923, the Provincial Council of Women of Ontario has passed resolutions on education and sent them in a brief to the government of the day. The most recent resolutions included in 1996 were teacher-child ratio for junior and senior kindergarten, native studies in Ontario schools and skilled labour training; in 1997 were resolutions to keep physical education as a component of the compulsory curriculum at all levels of the school system, and for the government to affirm its commitment to public education. We urged the government to financially support public education at progressive levels because a lowering of the financial base will usher in a private education system that favours the wealthy. Families will be forced to pay the penalty for quality education and a two-tier education system will be created.

We also favour local governance of school systems. Parents would like to have a say in their child's education through their local trustee. It would also be beneficial to the community to have some stability in the education system rather than having it change with each newly elected government.

Reduction in funding to education has meant the elimination of some courses which the council of women think are important to the development of a healthy adult. For example, the family studies program has been eliminated in several school boards, and this means the cutting of parenting and life skills courses. Many physical education classes have also been eliminated, so students do not learn the importance of exercise throughout life. It also puts the teaching of human sexuality in jeopardy since this is usually included in physical education and health courses.

Early childhood education is an area we are working to establish policy on this year. A major study by the Royal Commission on Learning called for the extension of universal public schooling not only to four-year-olds but to three-year-olds. Studies have been done about the limited time young children have to activate nerve cells,

and early stimulation can help disadvantaged children catch up physically and intellectually. With cuts in funding, the quality of education is compromised.

One of the changes in Bill 160 is the reduction of preparation time for teachers. Besides being used for preparing teaching material, this time is important for other aspects of a child's life. Other professionals may need to be consulted, such as a psychologist, because a situation at home may be interfering with a child's learning. Preparation time may include keeping up with developments in curriculum, providing individualized help to students, working with other teachers on joint projects. If these are reduced, the quality of education for children is reduced.

With a reduction in the number of teachers comes an increase in class sizes. This means that a teacher is able to spend less time with special-needs students such as the hearing-impaired or physically disabled children. The quality of education for our special-needs students is reduced.

In 1977 we urged the Ministry of Education to give physical and health education high priority in teacher training courses, to encourage each school board to emphasize participation rather than competition and emphasize individual life-time sports rather than team sports. We are concerned that these priorities of individual development may be lost with having unqualified persons teach physical education.

One area the council of women would like to see addressed is apprenticeship programs. In order to prepare adequate numbers of people to meet the present and anticipated needs for skilled workers, young people need to be attracted into apprenticeship programs early in secondary school. Educational institutions should work in an integrated system with labour and industry to fill this need.

In conclusion, the St. Catharines and District Council of Women is concerned about the changes proposed in Bill 160. Many of these changes will decrease the quality of education, which in turn will compromise the development of the child, lower the benefit to the community and make Ontario a poorer province. We think that high-quality education should be a priority for the government. Thank you.

The Vice-Chair: Thank you very much for that presentation. We have just a little bit less than a minute per caucus. The government side first.

Mr Smith: Thank you for your presentation. I couldn't agree more with the viewpoints you expressed, particularly the issues centring around the needs of special-needs students. That is one of the key areas of the new funding model and one that is requiring some very careful consideration, so I appreciate your highlighting those for our attention. The other area I agree with you on is your second-last paragraph, the individual charged with the responsibility of forming apprenticeship in Ontario. I couldn't agree more with your concluding statement, "Educational institutions should work in an integrated system with labour and industry to fill this need."

Certainly your recommendations are very timely as we move forward to change and improve the apprenticeship system in this province. Thank you very much for your presentation.

The Vice-Chair: To the Liberal Party now.

Mr Bradley: I want to note first of all your emphasis on local governance and how important that is going to be and your worry that the bill will remove much of the local governance. I was happy that you noted that. You mentioned your concern about a two-tier education system developing as well. Let me put the question this way: What consequences do you believe we will see as a result of a further \$667 million being removed from the education system, as has been stipulated within the draft contract for the Deputy Minister of Education, where she was told that she should get \$667 million more out, in addition to the \$533 million already removed. What would be the consequences, in your view, for our education system?

Ms Kovacevich: I suppose, also talking as a parent of three young children in elementary school — the position, first, of the local council of women is to continue public education, to ensure that survives. When we start to eliminate funding for our public education system, that obviously will have to open the doors for other types of education venues to come forward. What we can see happening is that parents who can afford to pay for alternative forms of education will remove their children from the public education system because obviously that public education system won't be able to afford some of the things a privately funded school or other form of education may be able to provide.

The Vice-Chair: To the other party now.

Mr Wildman: First, I really appreciate your presentation, particularly your emphasis on early childhood education and physical education and health education and so on. I noticed that the parliamentary assistant said that special-needs students will be an important part of the funding formula. As you may know, we don't yet know what the funding formula is, nor do we know how much money is going to be taken out of education as a result of the powers given to the minister under Bill 160. The \$670 million has come out, and it has been confirmed that that is in the document by the government. Do you think it would be sensible to hold off on the passage of this legislation into law until we know the exact amounts of money the government is prepared to commit to education of our students and how the funding formula would work?

Ms Kovacevich: Whether it's for that reason, I would hope we put off the potential strike because I don't think it's in the best interests of anyone.

The Vice-Chair: I'm sorry to interrupt, but our time is very short. I know that.

Ms Kovacevich: I had a good story to tell. I really did.

The Vice-Chair: Thank you very much.

Mrs McLeod: Mr Chair, while the next presenters are coming forward, I understand that the Minister of Education indicated again today that he did not believe that any alternatives had been put forward, any positive,

constructive suggestions. It was said to him at that time that this committee meeting on Bill 160 has received a number of alternatives, a number of recommendations, and the minister apparently said, "Well, I haven't seen them."

Obviously the work we're doing is concurrent with other events that are very critical. I would ask the parliamentary assistant to ensure that the Minister of Education on a critical needs basis is receiving the recommendations that come forward from presenters to this committee. Over the last two days we've had a great many constructive suggestions, alternatives, proposals, including proposals from the teachers' federations, as to major parts of the bill which they could accept. We also have just recently had, I think, a very constructive recommendation from the Ontario Principals' Association in terms of a proposal that would give us a cooling-off period, and I hope the parliamentary assistant will convey those as immediately as possible to the minister.

The Vice-Chair: I'm sure he will.

1410

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
LINCOLN COUNTY

The Vice-Chair: Calling the next group to the seats, OECTA, Lincoln County. I would also like to welcome to the committee hearings this afternoon Frank Sheehan and Bart Maves.

Would you introduce yourselves for Hansard? Your time is starting.

Mrs Karen Dunn: My name is Karen Dunn. I am a teacher with 33 years of experience, the last 12 of which I have devoted to teaching junior and senior kindergarten. I would like to introduce two of my colleagues, Tom Purser and Salli MacDonald. Tom will address the effects of this legislation on elementary schools and Salli will speak from a secondary school perspective.

Mr Tom Purser: I'm the president of the Lincoln county separate school board's principals' association and represent both the elementary and the secondary panel. Salli and I are here this afternoon about the proposed implementation of Bill 160 which, instead of harnessing and utilizing the power and strengths of our professionals, is sterilizing them.

This government is burning bridges instead of building bridges. This government is looking for simplistic answers, rather than working in partnership with stakeholders to solve problems together. This government has gone on record as saying that education in Ontario is broken and needs to be fixed. The former minister wanted to create a crisis in a system which is recognized worldwide for its excellence. The crisis is here. Our teachers and students are at the centre of the crisis, although we did not create it.

The demeaning of teachers as special-interest groups is an insult to the teachers who have devoted their lives to the education of our children. Teachers are professionals

who have knowledge, skills, experience and integrity. I am proud to be the principal of a large elementary school in Lincoln county. Every day I see professional teachers demonstrating their commitment to excellence in our school. Despite the constant barrage of insults and insinuations about the lack of quality in education, the teachers with whom I work come to our school filled with enthusiasm for young children.

Every day I see my fellow teachers arrive long before classes begin. They work long before the day officially starts, running extracurricular programs like cross-country, volleyball practices, meeting with parents about students who have problems or concerns, to name a few. I see teachers remaining at school long after school has ended. They stay at school to provide extra programs for students in need, to run crafts clubs, chess clubs, to practise for choir and drama presentations, to plan implementation, yes, for ministry programs. I see teachers giving up their lunch-hours to run Rainbows programs for students in need.

These are typical happenings in any school in this province. These activities are carried on through the free choice of teachers. Teachers are committed to providing the best, well-rounded education for their children. What benefit does this teacher-bashing serve when we have committed people in our schools right now?

Teachers readily accept a multitude of roles as educators, curriculum planners, decision-makers, counsellors, social workers, coaches, advisers to parents, and the list goes on.

One of our grave concerns about Bill 160 is that it will allow uncertified, unqualified people to assume these critical roles. While these individuals may have their own expertise, they will lack the accompanying teacher training that makes a crucial difference for our young people. Teachers know how students learn, how to evaluate student progress and how to manage a class. Teachers know that instruction in one area does not occur in isolation from instruction in other areas. Teachers are knowledgeable about the essential stages of development, socialization and learning. Teachers are already subject to rigorous standards and expectations. Within our board, we consistently recognize our teachers as our key resource. Why would you ever introduce legislation that would alter this?

We are especially concerned about the possibility of employing non-teachers in the early childhood area. We applaud our board's decision to continue junior kindergarten classes despite the reduction in provincial funding. This is one important example that illustrates why decisions should continue to be made at the local level.

The junior and senior kindergarten teachers of the Lincoln county Catholic school board are among the best in the province. We do not want them replaced with uncertified personnel. Research has shown that quality education for four- and five-year-olds is critical for later success. Why toy with this important area?

This government doesn't seem to be in touch with reality, certainly not with the reality of our schools in Lincoln county Catholic. In our schools we have worked collaboratively with senior administration, trustees, teachers, parents and priests to deal with all the cutbacks we have faced up until now. We have had to work hard, or actually work harder, because of funding inadequacies. We are already doing double duty. We do not want this bill to make teaching and learning conditions even more difficult or virtually impossible.

Now I ask Salli to go ahead with the secondary.

Mrs Salli MacDonald: I wish to address two issues which I believe are of critical importance. One relates to the use of a legislative process that contravenes the principles of democracy, and the other relates specifically to the effects just one aspect of Bill 160 will have on the quality of education in my own secondary school.

As teachers in Ontario we have an obligation to promote the values inherent in a democratic society and as teachers in a Catholic school system. We have an even greater responsibility to respond when the democratic values that support social justice are being dismissed out of hand by our political leaders.

Bill 160 signals the demise of democracy in the field of education. This government has already reduced the number of duly elected trustees and now it says that parents will exercise more influence through their role in school councils. But parents should not be duped. With the passage of Bill 160, nothing of importance will be left to local decision-making. This bill centralizes power in the hands of the minister and the cabinet. It permits far-reaching decisions to be made without public consultation or even public scrutiny. The extent of this power grab is unprecedented in this province.

The last time I heard the term "enabling legislation" was in a history class, and it was with reference to Adolf Hitler in 1934. To hear this term used by this government and even our own MPP for St Catharines-Brock in 1997 should chill us all to the very bone.

Now I'd like to turn to one of the most misunderstood aspects of Bill 160 which will have a major impact on the quality of education in my own secondary school.

Government propaganda would lead us to believe that prep time is at best a luxury we can no longer afford and at worst a waste of teacher time and taxpayer money. The minister says that a reduction in prep time will increase the time a teacher spends with his or her students. As a teacher and as a principal, I know that this is a fallacy. Since the government has proposed no change to the number of credit hours, a reduction in prep time can mean only one thing: one more class for each teacher. In my school, the number of pupil-teacher contacts would jump from approximately 190 to 220 and we would lose at least 15 teachers.

Prep time is no luxury. In a secondary school it's used to research and prepare materials, collaborate with colleagues, confer with students as individuals or in small groups, contact parents and to evaluate assignments. I know first hand that there is no way preparation time can

accommodate all the out-of-class activities that are an integral part of teaching —

The Vice-Chair: Thank you. Our 10 minutes have expired.

Mrs MacDonald: May I just make my final conclusion?

The Vice-Chair: Real quick.

Mrs MacDonald: I say these things not to paint a picture of any extreme but to illustrate the reality. We urge the government to back off, to slow down and to work towards educational change in partnership with all its stakeholders, please, for the sake of our young people.

1420

QUAKER ROAD SCHOOL ADVISORY COUNCIL

The Vice-Chair: I call the next group, the Quaker Road School Advisory Council, Greg Reid, past chair.

Mr Greg Reid: For the record, my name is Greg Reid. I am first and foremost a parent of two elementary school children. My older son, Nathan, is 11 years old and my younger son, Zachary, is eight years old. I've been a long-time Niagara South Board of Education volunteer. I'm a current parent member and past chair of the Quaker Road School Advisory Council.

I'd like to begin by thanking the committee for providing both the forum and the opportunity to speak with regard to Bill 160. My involvement with the public school education system began when my oldest son, Nathan, entered the school system in junior kindergarten.

I was pleasantly surprised, given my lack of knowledge of the public education system at that point, with the level of active participation allowed the parents within the system. Parents were allowed to actively become involved in their children's learning environment. My wife and I took advantage of this opportunity to become as actively involved in our sons' education as our careers would allow. The more involved I became, unfortunately, the more frustrated I became with school governance and management systems which, time after time, put their own agenda ahead of the needs of the students.

We're from Welland, Ontario, by the way. For those of you who aren't familiar with Welland, in 1990 the separate school board opened a new office in Welland, on the corner of Rice Road and Quaker Road, at a cost of \$6.8 million. It quickly became referred to by the local populace as the Taj Mahal: marble floors, the director of education's original plans had an exercise unit, a personal exercise room set aside from his office. On the grand opening of this building, over 250 people were outside protesting, many of them teachers who were disgusted with the fact that close to \$7 million was being spent on a board of education building when right next door at an elementary school eight to 10 portables were being utilized by the school population. Obviously, the needs of the board were put ahead of the students in that case.

I was more frustrated and somewhat disgusted when our own Niagara South Board of Education dumped millions of dollars into renovations to its own building two or three years ago. It had a more direct impact on my situation as at the time my sons were involved in an elementary school called Lloyd Rice school, a small school on Quaker Road: six rooms indoors, four portables outdoors, no gymnasium, no computer systems to speak of — a couple of 10-year-old Texas Instruments computers for the kids to work with — no playground equipment, not much of anything in the way of facilities. Yet our Niagara South Board of Education chose to plan and proceed with plans to spend in the millions of dollars in renovating their own facilities.

At this point, I became very frustrated with the system and decided to get more involved. I agreed to act as the chair of the first Quaker Road School Advisory Council two years ago. It was shortly after we formed our first council that we became aware of a cost-saving issue, and this was in the fall of 1995, when there was a lot of consternation in general about board budgets.

This cost-saving issue could have resulted in significant savings to reinvest in programs which were targeted by the board for cuts. The Niagara South board in its infinite wisdom decided to cut the junior kindergarten program without consulting the parent community or any of the school advisory councils. They had also decided to cut back on special education assistance. Through our own school advisory council, we decided to get very involved.

I had a meeting with the director of the board of education, at which time he identified an issue that said if we were able to merge our busing programs with the separate school board, we'd be able to save in excess of \$700,000 to \$800,000, possibly as much as \$1 million. The two boards actually shared the same transportation consultant on routing, and this consultant provided a report that said, "Here's what the savings would be if you two could get your act together." Unfortunately, the two boards don't get along.

We, as a school advisory council, decided to get involved in the process. We took it upon ourselves to contact our cohorts on the separate school side. The issue met with great acceptance. Everybody was in favour. It was going to get more buses off the street and it was going to save money that could be rolled back into junior kindergarten programs or more special education assistance.

Unfortunately, after receiving the initial support and direction from the director of education in attempting to build consensus for merging the separate and public busing systems at a potential cost saving of hundreds of thousands of dollars, for no apparent reason we were suddenly told to cease all our actions, that we had overstepped our boundaries.

The last group spoke about democracy in the schools. I don't see where cutting off an attempt by a school advisory council to further the schools and further the system in general is any form of democracy whatsoever.

Subsequently but not coincidentally, the public information officer, a lady by the name of Alice Russell, who reports directly to the director of education and who is now director of education and secretary-treasurer, joined our school advisory council as community representative. If there was ever a conflict of interest, someone who is the spin doctor for the board coming on to your school advisory council as the community representative I think would be stretching the mandate of policy memorandum number 122 a little bit.

This spin doctor has since attended all school advisory council functions that I and other members of the council attend, including in-service sessions, all sorts of other get-togethers they've had in terms of building the school advisory council, and has even gone so far in the last meeting of our council as to attempt to take over the role of chair of our school advisory council, in spite of her obvious conflict of interest and in spite of the current governing rules for school advisory councils contained in the Ministry of Education policy program number 122, which states that the chair of the council shall be a parent.

In a letter I received subsequent to a letter I had sent to her, advising her that she was ineligible, she said she is a parent — she has some kids who are grown and out of the system, but she is a parent, obviously totally denying any semblance of respect for the intent of the memorandum.

The point of all this is that one of the major complaints I've heard about Bill 160 is that it's undemocratic and centralizes too much power in the government's hands. Yet the desperate tactics which the Niagara South Board of Education was willing to go to in order to control the entire education agenda, even at the expense of parent and taxpayer input, suggests that Bill 160's provisions with regard to school governance and the enhanced role of the school advisory councils in the operations of the schools will go a long way towards restoring democracy and accountability to school governance.

To summarize, I believe I speak for the silent majority when I say we are fed up with being told it's in our best interests for the teachers' unions and the boards to be in control of the education agenda. I don't have a vote on the union, I don't have a vote with the teachers; I do have a vote when the government's term comes up. For those reasons — the majority of taxpayers and parents I have spoken to say they have no say in teacher union activities — it's obvious by the illegal action which is proposed for this coming Monday that people are fed up. People have had enough.

The boards have over the years become a farce in terms of representing constituents. It's only through the input at the school advisory council level from those with the ultimate vested interest in the education system, namely, parents, that true democracy can be achieved.

The Vice-Chair: That's the end of the time. Thank you for your presentation.

1430

CONCERNED STUDENTS COALITION

The Vice-Chair: At this time I'd like to call on the Lincoln county student council presidents. If you would introduce yourselves for Hansard and make the presentation, we'd appreciate it.

Mr Paul Empringham: My name is Paul Empringham. I'm the student council president at Sir Winston Churchill. With me are Erin Coholan, Shona Maggio and Blair Wiley.

Ms Erin Coholan: I'm the student council president at Holy Cross secondary.

Ms Shona Maggio: I am a past president at Holy Cross high school and a member of the Concerned Students Coalition.

Mr Blair Wiley: I'm the president of West Park student council.

Mr Empringham: I have introduced myself. My title is not only president of Sir Winston Churchill. I am the chairman of the regional trustee student council, which deals with concerns of all the secondary schools in the Lincoln County Board of Education.

I am speaking on behalf of the Concerned Students Coalition, which is a new group that's been formed by the student leaders you see before you to represent every secondary school in St. Catharines, not just the Lincoln county board but also the Lincoln county Catholic board.

As a group we disagree with the situation we've been presented with. We disagree with the government's Bill 160 and the way it's being passed, and we disagree with the manner in which the teachers' union is handling the situation. We feel that changes need to be made to both parties' stances and to Bill 160 before any meaningful improvement in the quality of education can be accomplished. I will begin by briefly discussing the pros and cons as we see them.

A large problem with Bill 160 is the vagueness of it. It is a framework for future improvements, but as yet there are no figures available. This is a scary proposition to us as students: to have a bill passing without the hard facts that we have been taught are necessary.

Take Bill 104, for example. In it, the number of school boards to be cut was given as the bill was presented. This offered the public a realistic view of what was going to change. Everybody knew that 55 school boards were going to be cut and also where the amalgamation was going to take place. In Bill 160 we don't have the funding model yet so we don't know fully what the changes are going to be. We don't know what class size cap is going to be put in place. Without the funding model, I don't see how anyone can fully assess the quality and validity of the bill as it is presented.

As I mentioned before, the bill appears to be a framework for future improvements. As such, it gives considerable power to the government. The current government has promised many things with regard to its actions under the new bill. Let's take their side for a minute; the Con-

servative government may stick to their promises. But what happens when a new government is elected and the new education minister doesn't know the first thing about education?

To the government's credit, we agree that change is necessary in our education system and that improvements are very possible with the right types of changes. We also give them credit for seeing the problem the former education minister presented, and for changing internally so that the experienced problem solver in the form of David Johnson was set in charge of the ministry.

On the other hand, the teachers also have their flaws. They have said they won't negotiate until all their demands are met and much of Bill 160 is scrapped. We have been taught by the teachers to learn problem-solving skills. To my knowledge, coming with demands and not talking to the other party until all of those demands are met was not one of the lessons I have learned.

Also, the unions need to be realistic and fully understand that the deficit problem needs to be addressed. It's one of the largest problems we as Canadians face, and it's one that needs to be rectified. The union leaders, in our opinion, are being hypocritical. They accuse the government, on the one hand, of being undemocratic by not allowing the public to decide the fate of Bill 160, and on the other hand, they themselves are guilty of being undemocratic according to their own definition by not allowing the teachers to vote on strike action. They have in effect been given sweeping power over the actions of the teachers.

We must also look at what the teachers are doing for us. The teachers are standing up for what they believe in and are not giving in. They are the direct link between the students and the education system the government desperately needs in order to set policy and change the workings of the classroom. First-hand knowledge of the system is an invaluable asset that the teachers possess.

If I were to stop here, I myself would be guilty of being hypocritical. I oppose all of the naysaying that's going on without the backup of realistic recommendations. The Concerned Students Coalition has made a number of recommendations and I will share them with you:

The funding model is necessary to assess the quality of Bill 160. It should not be the mysterious variable that it is right now. It should be released before the passing of the bill.

The teachers should sit down with the government and negotiate rather than refusing to meet because their list of 18 demands hasn't been fulfilled.

Teachers need to have direct input into the education system, either through their collective bargaining or some other legislated means in order to preserve and improve the quality of education.

Both the government and the teacher's union have stated that the students are the number one priority in their negotiations, and they should be. If the controversy is about quality of education, we need to prioritize the students and ensure they get the education that is necessary for success. But if the students are the priority,

as we have been told, then why are we in the position we're in? Why are the teachers going to strike on Monday and why is the government passing huge bills that aren't supported with facts and figures?

As a group, our stance is firmly between the two sides in this issue. Both need changes to the way they are conducting themselves and both need to work together to come up with a solution that meets the needs of the students and not their own personal agendas.

Now we have a couple of questions, if we could, to ask you.

The Vice-Chair: State the questions. You've got about a minute or a minute and a half together.

Ms Maggio: Our first question is directed to Mr Froese or Mr Smith. We, the students, find that the motions put forward by both Mrs McLeod and Mr Wildman this morning are very relevant, legitimate and applicable to Bill 160, but more significant now with this morning's announcement of the teachers' strike on Monday. We witnessed the rapid response by the Conservatives to defer these motions and are curious, Mr Froese or Mr Smith, if the Conservative members present today were scripted by their party to oppose all motions presented against Bill 160, without any consideration given first to the validity of these motions.

The Vice-Chair: A 30-second answer by one of you?

Mr Smith: A 30-second answer: No, we're not scripted to provide answers on behalf of the minister. We're here to receive the input of individuals who are making deputations today before this committee.

The Vice-Chair: Next question?

Ms Coholan: Besides deferring both motions presented today, what action is the government prepared to take to ensure that we and the other two million students in Ontario will remain in classes without interrupted education caused by a strike?

Mr Smith: I think the first action the minister is taking is one of leadership. He has continued to indicate to teachers that we are prepared to listen to them, to meet with them, to hear their concerns, and we still await that approach.

The Vice-Chair: You have one more minute.

Mr Wiley: We have one final question. The bill has already gone through second reading; it's almost passed into law. We were wondering if these public hearings are coming too late. Will the suggestions presented here today by the public and ourselves as students be taken directly into consideration in the improvement of Bill 160, or is this entire public hearing process a façade to quiet the outcry of this province? If you are taking these actions into consideration, how will they be applied to changing Bill 160?

Mr Smith: As I indicated, we have received a number of valuable pieces of information and input over the last two days. They will be given serious consideration. As parliamentary assistant one of the things I insisted upon — in my past experience I had found it somewhat disappointing — is that we are not going to clause-by-clause consideration of this bill immediately following the

hearings concluding next week, and that allows us as government members, and the minister, to thoughtfully consider all the deputations that have been presented to us.

The Vice-Chair: Thank you. Your time has expired.

Mr Wildman: On a point of order, Chair: Could you indicate to the committee and refresh my memory: When do we have to have our proposed amendments, government and opposition amendments, tabled?

The Vice-Chair: Just before we get that answer, could I ask the next group to approach the table.

The answer to Mr Wildman is one week after the conclusion of the public hearings.

Mr Wildman: That means we have a week to prepare amendments based on the presentations here. I hope we take very seriously the presentations and have meaningful amendments to this bill.

1440

LINCOLN COUNTY CATHOLIC SCHOOL BOARD

The Vice-Chair: The Lincoln County Catholic School Board is next. Would you introduce yourself for Hansard.

Mrs Lorna Costantini: Good afternoon. My name is Lorna Costantini. I am the chair of the Lincoln County Catholic School Board. I am joined this afternoon by Kathy Burtnik, chair of the English-language section. Unfortunately, our director, John Dickhout, was called to the ministry office today and he has not returned. He had hoped to be with us today.

We are here on behalf of Lincoln County Catholic School Board. We would like to take the opportunity immediately to thank you for hearing our concerns on the proposed Bill 160. We hope that in the true spirit of consultation you will be open to our concerns and comments and give them consideration before you pass this bill.

At the outset we would like to begin with a public statement of support for the teachers of Lincoln County Catholic. We can speak with pride and experience of our own teachers, and we will tell you that service and sacrifice, each with a capital S, easily describe the commitment, caring and going the extra mile our teachers have demonstrated on behalf of Lincoln county.

It is extremely unfortunate that circumstances to date have forced a confrontation between the teachers' affiliates and the government. This does little to ensure effective problem-solving. We unequivocally do not support or condone an illegal withdrawal of services. We expect a solution to the current dispute to ensure that our students will not be negatively impacted.

Much emphasis has been put on the blame for the problems in education. No one in isolation can be blamed for the collective problems we face in education today, be it parents, teachers, school boards or the government. The message that the students of Ontario have been failed by our teachers is not true.

The responsibility for an education system is a shared one. How we have come to this point is a matter for debate and lengthy, unproductive discussion. What is more important for our students is, where we are going from here? Any discussion around the implementation of this bill should be solution-oriented.

There are strengths and weaknesses in any system. Recognizing that reality, we must build on the strengths which are prevalent in the current educational system. Build on the commitment and experience of a teaching profession dedicated to the education of our children. Build on the parent community which is committed to their children's education and is open and receptive to the responsibilities of school councils. Build on the trustees who are willing to take on the responsibilities of the new district school boards to ensure the continuity of quality of education in Ontario. Build on a government committed to making positive, effective change.

If there are weaknesses in the system, everyone should share in the responsibility for necessary improvement and address those weaknesses. When initiatives such as whole language, destreaming and common curriculum are introduced, sufficient resources need to be allocated to ensure their success. In the past, while these initiatives were in their own right good ideas, funding restrictions and very short implementation time lines resulted in little ability to provide the training, resources and professional development necessary to make them effective. Thus, in many cases, these government initiatives have failed our children.

It is our contention that excellence is best achieved with consistency in goals and objectives. This government appears to be setting mechanisms in place to ensure continuity of provincial objectives. We commend you for this and trust that you will use the lessons of past program implementations as you proceed to make changes.

When government educational policy is introduced, the focus should be on the effective delivery of programs and services. Consistent, long-term goal-setting should take into account the need for continuity of programs, flexibility of learning needs, learning environments and available funding.

Education policy should not be a reflection of a political climate. Rather it should be pedagogically sound and agreed upon through meaningful consultation with all the partners in education.

The establishment of the College of Teachers, the Education Quality and Accountability Office and grade 3 testing were designed to promote and ensure accountability, thereby improving education; excellent initiatives designed to improve education. We are supportive of their establishment and continued existence if they fulfil the intent of increasing excellence in education.

We see the inclusion, however, of issues which were previously negotiated as a major hurdle to the acceptance of Bill 160. For this bill is about other things. It is about amalgamation. Bill 160 was created to allow for the amalgamation of school boards. The transfer of assets and staff are all tied into this bill. The process of amalgam-

ation should have minimal impact on students and it is unfortunate that the inclusion of these items has overshadowed the real purpose of the bill. The EIC and LEICs are working towards a smooth transition. We do not want to see this process jeopardized.

Bill 160 is also about equitable funding. It sets in place the mechanism required to implement equity in funding for all students in Ontario. In April, we voiced our opinions related to Bill 104. We, as others, asked for the details on the funding model. School boards have put their right to levy taxes in abeyance in order to effect and support the implementation of the new funding model. We are awaiting confirmation of this government's commitment to equity in funding for all students.

Asking the partners in education to unconditionally support a new funding model without knowing the level of funding, or the priorities of expending the funds, is extremely presumptuous.

As proposed, this change in funding can offer long-sought relief to the many assessment-poor boards that have struggled to meet the needs of their students under extremely tight financial conditions. There are second-class students in Ontario and these students can't wait.

Many have argued that the benefits of equalized dollars are not sufficient rationale to relinquish control of the education dollars from local school boards to the provincial mandate. If we are all working under the same premise, that equity and excellence in education is our goal, then shifting the control of funding which satisfies this goal should receive universal support. We do not, however, have the final model to fit together the pieces of the puzzle. If we had had it at the same time as the introduction of the bill, it would have gone a long way to remove the clouds of mistrust that have surrounded this process.

Bill 160 is also about school councils. There are provisions to legislate school councils and give official status to parental involvement. This recognition of the value of the role of parents in their children's education is long overdue. Parents are willing to be part of the educational process and this provision needs to be implemented without restriction.

The direction this government is taking is commendable — improvement for all students in Ontario. Change is difficult and requires leadership to implement successfully. If change is required to improve the classroom environment and improve the education of students, no one can argue. We support the restructuring of education, whether it is in the reduction of trustees, administrators and school boards or the redesign of the school year calendar and the length of the school day, if these are proven to have a positive impact on the quality of education.

We repeat: If we are all working under the same premise, that equity and excellence in education are our goals and meeting student needs is our priority, change should receive universal support.

A lot of "could haves" and "should haves" won't change what has happened. Where we go from here will

depend on the willingness of everyone involved to place the needs of students first.

The introduction of the issues of prep time, class size and uncertified teachers has served to complicate the implementation of a bill for education change. Our concerns around the issues that were previously negotiated is the lack of specifics. No one, and rightly so, is ready to commit when the percentage of prep time, the size of classes and role of uncertified teachers have yet to be established. If one were to set the class size at 40, remove all the prep time or place uncertified instructors in all the classrooms there would be little agreement on the inclusion of this item in the bill.

Boards, in conjunction with the ministry, should have the ability to organize the workplace to best suit the needs of students. Working conditions should not outweigh the needs of students. But there must be flexibility in place to recognize individual needs. Variable prep time, maximum class size and enhanced use of instructors who work in partnership with teachers, rather than in isolation, may be possible solutions. I have identified each one in greater depth and you can expand them. We have a model in Lincoln you may wish to look at. Kathy, please finish off for us.

The Vice-Chair: You've got about a minute.

Ms Kathy Burtnik: I'll go fast. Remove these issues from Bill 160. Deal with them in isolation as a separate bill. Don't eliminate them completely from the process, but let the bulk of the work of Bill 160 proceed until the government is able to reach a solution to the concerns. If indeed it is the sincere desire of this government to achieve a higher quality of education for our students, then these issues should be non-negotiable and highly supported by everyone.

If we keep the goal of equity and excellence for all students as the rationale for decisions, then acceptable solutions can not only be found but implemented with complete cooperation from all partners.

Our message in April was, "Take the time to do it right." Our message has not changed.

Effect the changes necessary to form the new district school boards, introduce the funding model, get agreement on its delivery and then work through what changes must be made to effect it. The government must not allow the issues which regulate the workplace to affect the implementation of a bill crucial to the creation of the new district school boards.

The Vice-Chair: Thank you. I think you've run the time out; it does happen.

1450

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 36, WENTWORTH

The Vice-Chair: Our next group is OSSTF, District 36, Wentworth. Identify yourself for Hansard, and please start.

Ms Lynn Phelan: Good afternoon. I'm Lynn Phelan, chief negotiator of District 36, Wentworth, OSSTF. I'm here with my colleague Ilze Dreimanis. I wish to present a brief on behalf of our members.

When, on September 22 this year, then Minister of Education John Snobelen introduced Bill 160, the ironically named Education Quality Improvement Act, into the Ontario Legislature, he clearly signalled that the Harris government was intent on removing any local control and management of school affairs in Ontario, and replacing that control with far-reaching centralized powers beyond the checks and balances of the democratic process.

He also demonstrated with this bill the Harris government's disregard for the collective bargaining rights of 130,000 citizens, which have been legitimized for nearly 25 years.

This brief will deal with these two aspects of the bill which we consider reprehensible: the loss of local, democratically elected control over the education of our children, and the disregard for what have been considered for many years fundamental workers' rights in Ontario.

In its enormously sweeping powers, Bill 160 grants the Minister of Education and the cabinet, the government of the day, sole authority in a number of areas with a direct effect on the students and the taxpayers of our province. Currently the local communities in Ontario determine their requirements for programs such as junior kindergarten and adult education in direct response to the needs of their areas. This bill gives the ministry total control over education funding, allowing the political party in power control over these or any programs it considers non-essential.

This section of the bill takes financial decision-making for education out of the hands of local representatives of citizens and puts it in the hands of the ministers of education and finance. A further section gives the ability to cut education funding in the province and to prescribe different tax rates for different municipalities, different parts of a municipality and different classes of property, not even to the Minister of Education but to the Minister of Finance, until at least 2004. The local taxpayer, through his or her local representatives, will have no say in the amount or allocation of tax rates.

The impact of this section of the bill on collective bargaining will be felt immediately and over the long term. The local school boards, federations and unions, still responsible for bargaining collective agreements under Bill 160, will be under enormous negotiating stresses as they bargain without any economic authority.

Much has been said in government commercials and press releases about the section of the bill which could ostensibly limit class size in the province. In fact, the bill does not limit class size, as no specific limits on the number of students for which a teacher is responsible are mentioned in the bill. Instead, the bill allows the government of the day to control class size, which could as easily mean increasing class sizes across the province at the total whim of the ministry and cabinet without input

from teachers, school boards, parents, students or even the Ontario Legislature.

Over the last 25 years, decreases in class sizes, consideration for differing class sizes for special programs and caps on the number of students for which an individual teacher is responsible have been achieved through the local collective bargaining process, based on statistical and anecdotal evidence and with reference to local needs.

In the last five years, when provincial governments have mandated economic cuts to education, the result has been an erosion of that progress to student learning conditions. Wholesale removal of this area of negotiation from the local collective bargaining process, combined with the total removal of financial autonomy from the local sphere and the refusal of the ministry to indicate specific limits to class sizes in the bill, sets the groundwork for increases in class size and the elimination of special programs. The result is permanent uncertainty for students, parents and teachers.

A third frightening area of the bill is that which allows the minister to designate positions which do not require a qualified teacher to instruct students. Ontario teachers currently use experts from the community in a number of specialty areas to augment their programs. Co-op placements in the community, for example, provide students with exposure to real-world experiences in their areas of interest. But these experts are not expected to serve as the students' teachers. They are not trained in student evaluation or classroom management, nor are they familiar with the essential stages of child or adolescent development, socialization and learning. Qualified teachers are rightly responsible for these areas.

Although the previous minister verbally indicated that it was not his intention to replace teachers with unqualified personnel in the vast majority of circumstances, there are absolutely no limits on any current or future education minister's power to do exactly that. The preamble of the bill suggested areas in which non-teachers may be permitted to teach Ontario's students, including computer education, kindergarten, industrial arts, guidance, library, music, visual arts and physical education. The possibility of expanding upon this already extensive list remains entirely open.

Additionally, this provision of the bill appears to contradict the Harris government's own avowed agenda when it established the College of Teachers, ostensibly created to professionalize the teachers of Ontario. However, the non-teachers whom the minister will have the power to introduce into Ontario classrooms will not be members of the college, subject to the college's standards, qualifications requirements and screening processes.

The government that insisted that a college was necessary to regulate the qualifications and practices of the teachers of Ontario is advocating in this legislation the creation of a two-tiered staffing system in which one tier would not be bound by the regulatory body the ministry itself created. There is no valid pedagogical reason to replace highly trained professional teachers with

unqualified instructors. This provision of the bill is purely a cost-saving measure, a way to further remove funding from classrooms.

The government has packaged its attack on teachers' preparation time in the bill as a method of ensuring students spend more time with their teachers. In fact the opposite is the case. If teachers spend more time in classes, as the bill indicates, they will in actuality be teaching additional courses or sections of students. Their teaching load and the number of students for which they are responsible will increase by up to 25%.

The net result will be that a teacher will spend less time on a per capita basis dealing with each student, and have less time outside of the classroom with which to do it. There can be no positive benefits for students in this plan.

Additionally, less preparation time and more classes per teacher will mean fewer teachers in schools. The previous Minister of Education estimated 4,500 fewer teachers; federation estimates come closer to 10,000.

A reduction in preparation time, which is in actuality an increase in teacher-pupil contacts, an increase in teacher marking load, an increase in teacher preparation requirements and an increase in teacher paperwork are another cost-cutting plan and an attack on current collective agreements, disguised as educational reform.

Bill 160 gives the minister the power to make regulations dealing with the length of the school day, school terms, school holidays, instructional days, examination days and professional activity days. The former minister used a number of statistics indicating that lengthening the school day and year, and decreasing examination and professional activity days, would have a positive effect on students' learning conditions, while simultaneously putting teachers' working conditions more in line with those of other jurisdictions.

The government's research and statements are simply wrong. Ontario students do not spend substantially less time in class than students in other provinces or countries. A Canadian Teachers' Federation survey shows that the school year is virtually identical among all provinces — about 195 days of operation annually. The number of instructional days is 180 to 190 in all provinces. The province of Quebec has fewer instructional days than Ontario. It is true that Chinese students spend 251 days per year in class, but that translates to 858 instructional hours, considerably less than the 925 hours in Ontario. An American review of 36 studies into the effect of increased instructional time on student achievement found few gains in learning by increasing the length of either the school day or the year.

1500

The areas of the bill we have identified so far in this brief are ones which will have a strong negative impact on local democratic decision-making for education and an even stronger negative impact on the learning conditions of our students. There are, however, also a number of areas of the bill which will not have a direct effect on the students of our schools but which directly affect the teachers in our system and the working conditions that

they have negotiated with their employers through free collective bargaining over many years.

These include intrusion into teachers' democratic rights of association. Under the new act, the minister may order the board of governors of the Ontario Teachers' Federation, a duly constituted, autonomous body, to make, amend or revoke any of its regulations. Would the government consider such an intrusion into any other private organization in the province? Would its citizens permit it to do so?

The Vice-Chair: Thank you. You have exhausted your time.

Ms Phelan: Thank you.

The Vice-Chair: The next group to be called to present is OECTA, the Welland unit.

Mr Wildman: Mr Chair, on a point of order: We have repeatedly heard in these presentations disputes around the total number of teacher positions that would be eliminated because of the changes in prep time. The former minister said 4,200, I believe, others have said 6,000, and the federations have said 10,000. Would it be possible for our research officer, if the parliamentary assistant can't provide the information, to do some investigation with the various groups who have put forward these various numbers for our committee, the teachers' federations and also with the ministry, to find out what the accurate estimate is. Is it 4,000, 6,000, 8,000 or 10,000 fewer teachers?

Mr Smith: I think the point of order Mr Wildman is seeking is to get clarification from the research assistant, either through ourselves or in combination with the ministry. We would be pleased to table a response to that, or try to.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION WELLAND UNIT

The Vice-Chair: Please identify yourself.

Mrs Patricia Vernal: Good afternoon. My name is Patricia Vernal. I am an elementary general resource teacher employed by the Welland County Roman Catholic Separate School Board. During my 34 years in teaching, I have been a regular classroom teacher, a special class teacher, a speech-language teacher in itinerant work and a junior kindergarten teacher. Present with me this afternoon is my colleague of many years Mary Pos, who is the local president of the Welland unit of OECTA.

I would like to thank you for the opportunity afforded to us to be able to make this presentation to you this afternoon to address some serious concerns about the Education Quality Improvement Act. For the purpose of this presentation, I will deal with four major areas of concern: regulatory powers, collective bargaining, unqualified personnel and prep and planning time.

What I find most offensive about Bill 160 is the regulatory powers contained therein. Bill 160 sets new precedents in governance. The cabinet is given the authority to

write, amend and/or delete regulations governing a wide range of school and classroom conditions not previously assumed by government. The legislation grants the minister new powers to determine critical employment terms and conditions that are currently subject to local collective bargaining. The result will be to remove working and learning conditions from the local negotiations process and leave them to the political dictates of the minister. Bill 160 expands the minister's powers to dictate by regulation a wide range of teaching and learning conditions. A few are class size, planning time, minimum qualifications for non-teachers and the right to strike.

Having been on local negotiating teams for a number of years, we have been able to keep class sizes low through compromise and working together. Bill 160 will allow the cabinet to change these without consultation, debate or discussion. Significant aspects of education can be changed with a single sweep of the pen by cabinet, thus avoiding the checks and balances of legislative debate and preventing meaningful public scrutiny.

The proposed regulatory powers are sweeping in nature and have no content or time limitations. At any point in the future, the cabinet may amend the regulations to give substance to the generalized outlines we see currently before us. At that time, if this act passes in its current form, the cabinet will bypass the normal democratic process and impose its will without reference to the Legislature. I challenge this government to put its intent for all matters into writing so that a healthy debate may ensue on the issues. Any other process makes a mockery of our democratic institutions.

The proposed section 58, which states "such matters as the Lieutenant Governor in Council considers advisable to prevent disruption in the education of pupils," attacks the right to strike. This is an arbitrary misuse of power. As written, the cabinet assumes the authority to make regulations to cover all exigencies, in case something was forgotten, overlooked or unforeseen. In the case of the right to strike, which is a right under a statute, the Ontario Labour Relations Act, the cabinet demands the authority to remove the right to strike under the guise of preventing disruption. Bill 160 allows this government to circumvent parliamentary debate in the denial of the right to strike. The government, under Bill 160, can write a regulation that overrides the act; thus the removal of the right to strike could occur without debate in the House.

Moreover, when section 277 is applied on its own or in combination with section 58, there is an override of any real collective bargaining and right to strike. It states, "In case of conflict, this act and regulations made under it prevail over the provisions of a collective agreement."

Unqualified personnel: Section 170.1(3)(e) empowers the Lieutenant Governor in Council to "make regulations designating positions that are not teaching positions and duties that are not teachers' duties and prescribing the minimum qualifications for a designated position or performing designated duties."

This is a radical change and departure from the current practice, which specifically delineates the necessary professional qualifications of teachers.

Section 170.1(5) reiterates the government's intention of placing unqualified persons in the classroom. It further clarifies the government's intention by stating, "It shall not be presumed that a person is required to be a teacher solely because he or she holds a position not designated under clause 3(e) or performs duties that are not designated under that clause."

This is a catch-all clause to include any situation not envisioned at the time of drafting this act. No other province has such legislation. Essentially, sections 170.1(3)(e) and 170.1(5) will lead to the decertification of the teaching profession with the use in the classrooms of Ontario of individuals unqualified to teach. The use of unqualified instructors could vary from school to school and from class to class, depending on the financial stability of the individual school board. This could mean students in poorer areas would have less access to teachers and a poorer quality of education than students in richer areas.

Poorer school boards would be more likely to employ unqualified persons, resulting in substandard curriculum delivery. Such situations will not enhance fiscal accountability and responsibility. School boards suffering from their own fiscal limitations will have a ready mechanism to address their monetary problems.

As funding is reduced through the centrally controlled allocation model, the use of unqualified instructors would increase, thus accelerating the educational race to the bottom. Such an erosion of quality education is unconscionable.

One must question the motives of this government in moving to decertify the teaching profession. While establishing the College of Teachers to oversee the teaching profession, the government is also promoting the idea of unqualified persons teaching our children.

Ontario governments since the Common School Act of 1843 have required teacher training of all persons assigned the sacred trust and responsible duties of a teacher of children. A variety of 17 acts since then have never wavered from this and have actually increased the qualification requirements to what they are today. This minister wants to take the teaching profession back to before 1843.

Our children deserve the best. Teachers have the necessary training and education in child psychology, adolescent development, educational methodology and curriculum design and implementation, as well as a university degree in their relevant fields. To contemplate employing non-teachers for the care and custody of our most precious resource is an affront to parents and flies in the face of common sense.

The government provides no research to support its position that the use of unqualified persons will lead to an improvement in the quality of education. One wonders whether the government has contemplated these problems or done any research. We know, as does everyone in the

public, that the quality of education will not be improved through the use of unqualified instructors. Simply being able to read does not make one an English teacher.

We can only assume that the government's motivation is to save money. At the end of the day we will have fewer teachers and reduced quality, but the system will be less expensive and the government will have their money for the tax cut.

We cannot allow the further erosion of our proud profession. We cannot allow the downloading of responsibilities and duties onto our teachers. We cannot allow our children to suffer because the government agenda is consumed with cutting taxes, whatever the consequences.

1510

All the government's arguments in the area of specialists are deceptively plausible. One only has to examine the schedules A through E of the former regulation 297 of the Education Act to find all the specialists one would ever need for Ontario's classrooms. The government found these to be important enough to enshrine them in regulation 184 under the College of Teachers Act, and yet it now deliberately attempts to ignore them.

As a general resource teacher, I strongly object to the removal of the right of the local bargaining unit to negotiate preparation and planning time allotted to classroom teachers. This is the time that I confer with classroom teachers in my school concerning the special-needs children assigned to their classrooms. It is at this time that we develop the individual pupil plan that will enable the student to learn and remain in a regular classroom with his or her peers. During this time we meet with parents, outside agencies, members of student services departments, including psychologists, behaviour resource teachers, assessment teachers and social workers.

Unassigned time allows me to evaluate the individual pupil plan with the classroom teacher as well as provide my services to that child. This provides for the upgrading and continuing modification of the IPP. In my school, for instance, there's a population of 240 students. I have a caseload of 34 special-needs students. Any reduction in preparation and planning time would seriously hinder the ongoing modification process. I strongly urge you to consider this.

Bill 160 is an extraordinarily disruptive piece of legislation. While it is called the Education Quality Improvement Act, many of its provisions will only achieve exactly the opposite. It is bereft of recommendations that will improve the quality of education in Ontario, and instead appears to be constructed with other objectives in mind. One of those objectives is to centralize control of funding permanently at Queen's Park in order to regulate the most expensive aspects of service delivery: the number of teacher positions and the number of teachers.

Bill 160 will radically alter existing well-known labour practices. It will create chaos while teacher affiliates and school boards struggle to adjust to new labour policies and legal challenges to restore a balance to employee-employer relations. The act provides for the destabilization of the teaching profession itself in addition

to the unsettled teacher affiliate/school board labour relations.

While the government states that this legislation contains reasonable provisions, the reality is that it dramatically shifts the balance of power in collective bargaining in favour of school boards and the provincial government. Further still, the government will have a direct influence in collective agreements either through its cabinet-appointed EIC or via cabinet regulations. As Bill 160 will severely erode basic concepts in collective bargaining, the government should approach these issues with caution lest all existing and future labour relations suffer. Even though we may agree that some of the bill's sections are acceptable, they are sprinkled sparsely among other unacceptable sections. The toolkit of 1996 has resurfaced. The only difference is that the government has reserved the power for itself and did not delegate it to the school boards.

In summary, I'd like to ask for these recommendations to be considered:

That the permanent provisions of Bill 160 maintain the full scope bargaining under the OLRA; that they not make reference to class size; that they not make reference to teaching time and non-teaching time, teaching load or planning and prep time; that it not allow for the redefinition of "teacher," teaching positions or teaching duties; that it not allow the use of non-teachers in positions currently assigned to teachers; that it not allow for the assignment of current teaching duties to non-teachers; that it not allow for regulations which fetter the right to strike any more than under the School Boards and Teachers Collective Negotiations Act.

In conclusion, I want to make it perfectly clear that I consider myself a true professional dedicated to the wellbeing of the children entrusted to my care and to quality education for these children. I have taught for 34 years, I have one year left, and I feel this bill is such an intrusion on all of the work that myself and others have put into this profession and into the care and concern and the quality education we provide for these children.

The Chair: I thank you very much. We've gone over the time by a minute. I thought you were concluding, but I don't know that from this position.

Mr Wildman: Could I ask if our researcher could confirm that the Minister of Education and Training has announced that the ministry will provide up to \$40 a day to parents who may require child care if there is a disruption in classes for the students? If so, how does the ministry intend to finance this enormous amount of money?

The Chair: Our researcher will take that matter up. We now move to the Taxpayers Coalition of Niagara, Charlie Atkinson, chair. Is Mr Atkinson present? If not, we will go to the next presentation.

ONTARIO PUBLIC SCHOOL
TEACHERS' FEDERATION
NIAGARA SOUTH DISTRICT

The Chair: The OPSTF, Niagara South district, Dale Ford. Is Mr Ford present? Mr Ford is present. Welcome, Mr Ford. All members have received a written presentation from Mr Ford. Please proceed, sir.

Mr Dale Ford: On behalf of the members of the Niagara South district Ontario Public School Teachers' Federation, I would like to thank you for the opportunity to appear before this committee. I'm the president of the local, a teacher and an adjunct instructor for Drake University. I'm here today because I believe in parliamentary democracy and because part of the task of our profession is to educate the children and youth of Ontario about its values and process.

Bill 160 is not about greater public control over the school system but about virtual elimination of public control. Last year Ontarians were presented with the infamous omnibus bill trampling on rights and responsibilities of the citizens and municipalities and giving the provincial government extraordinary powers to disregard the rule of law at its whim. Bill 104 established the Education Improvement Commission to oversee the complex job of reducing the number of school boards. The worst, most arbitrary and authoritarian aspects of the omnibus bill and Bill 104 are incorporated into the powers of the EIC.

Bill 160 vests considerable power with respect to transitional matters to the Education Improvement Commission at the expense of local control. The role of democratically elected trustees has been superseded by the unelected commission, with its sweeping mandate, with unknown criteria to review and amend budgets any way it considers appropriate. This commission is not accountable to parents, employees, taxpayers or trustees and its decisions cannot be reviewed by the courts.

Bill 160 raises some very serious concerns about the democratic function of school boards and the free collective bargaining regime and presents a number of issues which seriously affect our membership.

By taking over education funding, by removing it from the local property tax, it's clear the province will control the purse-strings, asking people to have blind faith that these major changes will not hurt classrooms. While Queen's Park would like people to believe that, with the amalgamation of school boards, \$1 billion can be cut from education without harming students, this is not true. Our primary concern is, if Queen's Park takes control of educational funding, communities will be helpless to protect students from funding cuts that are clearly being contemplated by the provincial government.

Bill 160 centralizes control and power in the Ministry of Education and Training but decentralizes blame and responsibility. Centralizing control in this manner will enable the provincial government to extract unlimited dollars from the school system. The proposed legislation will severely restrict the scope of bargaining by

empowering the provincial government to determine numerous collective bargaining issues through regulation.

Every innovation in education, whether in curriculum, technological change, teaching methods or in social issues like anti-racism or anti-violence programs, all these initiatives started in our classrooms, in our schools, not in the halls or galleries of Queen's Park. The open scope of bargaining has led to improved learning conditions for students and enhanced working conditions for teachers, and much of the proposed legislation is viewed as an attack on teachers and does nothing to meet the goal of the government to have the highest student achievement in Canada.

1520

The government says that there is a relationship between the time teachers spend with students and increased student achievement. The government wants to reduce the number of professional development days and exam days and start the school year earlier. However, Ontario students do not spend substantially less time in class than students in other provinces or countries, and in fact a CTF survey in 1991-92 shows that the school year is virtually identical among all provinces.

The most troublesome aspects of Bill 160 are those which give cabinet the authority to override the present legal requirement that individuals who teach for a living should be certified teachers. The former minister said our students should have access to specialists. What he didn't say was that our students already have access to specialists: specialist teachers in art, music, science, guidance, library, technology and much more. If, as the government insists, it is important for teachers to adhere to rigorous standards when they teach geography or science, why is it assumed that just anyone can teach physical education?

Bill 160 counters completely the drive to a heightened professionalism among teachers by encouraging the use of unqualified persons in the classroom. You cannot improve achievement by lowering standards. Regulations, made without public consultation or notice, should be made which could transform the way education is provided.

Section 81 of Bill 160 contains a provision which empowers cabinet to make regulations governing class size. Every improvement in class size made over the last 20 years was a struggle waged by teachers at the bargaining table, teachers bargaining with reluctant school boards. It was teachers who initiated these improvements, not school boards and not the provincial government. Average class size has risen. This has occurred not because teachers have willingly negotiated larger class sizes, but because funding has been cut. The period which witnessed rising class size included the social contract years, with a permanent downsizing of 4.75% of the teaching complement, and the present, where we have witnessed the government's gouging of hundreds of millions of dollars from an already strained system.

Cabinet will have the power to make regulations determining the minimum required amount of pupil-teacher instructional time and limiting the amount of

preparation time. Cuts to preparation time will result in teachers having less time to offer a full range of activities and classroom methods and to respond to the individual needs of teaching. Teaching students effectively requires much more time than being in front of a class. It requires time for working with colleagues, time for consultation with other professionals, time to make plans to address individual student needs as they change daily and sometimes hourly.

Less preparation time will mean fewer teachers in schools. Having fewer teachers in schools will mean a decline in the overall quality of school life and the ability to deliver a varied and comprehensive program. Prep time, like class size, is a hard-won and much-valued component of teachers' working conditions. Any reduction in prep time will seriously jeopardize the quality of education in Ontario.

The government doesn't have a shred of evidence that the system it's about to impose on us will work any better. In fact it may be a lot worse: less democratic, less accountable, more remote and more bureaucratic than the one it replaces.

Queen's Park wants to eliminate community decision-making in education and seize total control. For more than 150 years, communities have worked with provincial governments to provide an accountable and efficient public education system. With the province's assault on democracy, we are experiencing at first hand a lesson in Ontarian civics in 1997. This legislation transfers power from a community institution to centralized provincial bureaucrats. The government's insistence on limited public consultation and debate demonstrates disdain for the citizens of the province.

Cutbacks are the results of decisions made by politicians. We fear that Bill 160 and the latest cuts being imposed by our provincial government are not about debt and deficit. They are about keeping the promise of the Common Sense Revolution. We fear that the proposed legislation is a red herring to take another \$600 million to \$1 billion out of education to pay for a 30% provincial tax cut. These cuts will seriously reduce support for every child's education, his or her future prosperity, and the future of Ontario.

We are worried that the current pace and sweep of change will create long-term problems in its wake. I understand the province is in a fiscal crisis that you are trying to fix. But I am disturbed by the legislating of a tool that allows unnecessary, broad and invasive powers that could be misused. Rather than giving the people a sense of government in charge, there is widespread anxiety that the government's strategy will take money and jobs out of education.

It is difficult to imagine how teachers are supposed to work with a government that doesn't trust them. If the government doesn't trust professionals with years of combined experience, commitment and caring, then whom do we trust? A government that has two years' experience or an education minister who has spent no time teaching?

Music programs, librarians and junior kindergarten have vanished like smoke all over Ontario, and school children are selling everything but life insurance to raise money for classroom supplies. Can any parent truthfully claim that the Tories have so far created improvement or quality in our schools?

We believe that all the terms and conditions of employment ought to be negotiated and that any changes in the terms and conditions of employment of teachers are to be negotiated as well.

The Chair: Thank you very much for your presentation, Mr Ford, on behalf of your association.

URBAN DEVELOPMENT INSTITUTE/ONTARIO

The Chair: Our next presentation is the Urban Development Institute, Stephen Kaiser, president. Welcome, Mr Kaiser. We have allocated 10 minutes for your presentation. Please proceed.

Mr Stephen Kaiser: Sorry, I understood it was half an hour, Mr Chairman.

The Chair: You're absolutely correct. It is half an hour. I misread it.

Mr Wildman: You're on the minister's list. That's why you got half an hour.

Mr Kaiser: Good afternoon, Mr Chairman, members of the committee, ladies and gentlemen. My name is Stephen Kaiser and I am the president of the Urban Development Institute.

I would like to thank you for the opportunity of providing our thoughts on Bill 160 from the perspective of the land development and home building industry. Let me say from the outset, however, that our interest is focused solely on part IX, division E of the bill, which provides school boards with the authority to impose education development charges on new development, new housing, industry and business here in Ontario. This is an area where UDI and its members have unique expertise and, accordingly, can offer specific input into the workability of the bill. We have submitted to the committee a lengthy paper on this subject, which I understand has been circulated to you, but I will speak to you today only on the most critical issues. Before I do so, however, I would like to describe briefly the role of the Urban Development Institute and the nature of its representation and membership for the benefit of the committee.

The Urban Development Institute/Ontario, or UDI, has acted as the voice of the land development industry in Ontario for 40 years. The institute is a non-profit organization supported by its members, which include firms and individuals who own sizeable holdings of raw land, apartment units and building space. Our membership is engaged in all aspects of the planning and development of communities and the construction of residential, industrial and commercial projects. UDI serves as a forum for knowledge, experience and research on land use planning and development.

Today our members include land developers, builders, land use and environmental planners, investors, financial institutions, engineers, lawyers, surveyors, economists, landscape architects, marketing and research firms and architects. Together they constitute the collective forces guiding the creation and improvement of Ontario's built environment.

The development industry has a fundamental interest in ensuring that new school facilities are provided consistent with the pace of growth. We want schools up and running to serve new neighbourhoods just as quickly as the school boards and the province do. It is in part how we market new development projects.

Moreover, as a result of the 1989 Development Charges Act and more recently with this bill, it appears that the development industry will continue to directly fund the cost of new schools through the contribution of an EDC on new homes and businesses. While the need for new schools in Ontario is no doubt real and significant, estimated to be some \$3 billion over the next 25 years, it is critical that the funding mechanism be fair to all stakeholders who are responsible for making contributions. The partnership must be equitable to school boards and the development industry. It is from this perspective that we have reviewed Bill 160.

1530

On May 21, 1997, the Minister of Education and Training announced the government's new student-focused funding model for elementary and secondary education. According to the announcement, a school board's 1998 budget will be based on three components: a foundation grant to provide for students' core education needs, seven special purpose grants to recognize the different circumstances faced by both students and school boards across Ontario, and a pupil accommodation grant to pay for the cost of operating, maintaining, equipping, furnishing and constructing schools.

The government's funding proposal, however, does not provide grants for the acquisition of new school sites. Instead, school boards will be given considerable flexibility under the new system to acquire sites by using undeveloped land within their current portfolio, entering into cooperative arrangements with developers and municipalities for joint and multi-use facilities and seeking long-term leases with the private sector. Boards will also be permitted to impose education development charges, or EDCs, if they have a projected net increase in student population resulting from new development.

Part IX, division E, of Bill 160 is the implementing legislation for the EDC component of the ministry's new funding model and will allow school boards to impose them to cover the cost of school site acquisition. Provincial grants will cover 100% of the cost of bricks and mortar, while the funding of school sites will be left to other means, including the use of education development charges.

Before I offer specific comments on the bill, I would like to remind the committee of UDI's position on the whole issue of development charges. It has been clearly

defined for many years but was articulated most recently in our position paper entitled "Development Charges - A Time For Change," which was submitted to the Ministry of Municipal Affairs and Housing in July 1996 in advance of Bill 98.

In simplest terms, UDI believes that the use of municipal and education development charges has created a group of taxpayers, both residential and commercial-industrial, who are disfranchised because they are unable to participate in the decision-making process regarding the need for certain services. The entire development charge process is undertaken well in advance of building permit withdrawal and certainly before the taxpayers who will ultimately be paying the charges realize that they will be resident in that specific area. In essence, the Development Charges Act is a hidden tax and its impact on Ontario's competitiveness, housing affordability and on the existing and future taxpayer is significant.

At the same time we also reiterated in the same paper our position on the use of development charges to fund education, as follows:

"Education provides a general benefit to society and the general public as a whole should pay for this service. It should not be limited to those who can afford to pay for new housing or establish new businesses. In addition, schools are not given final funding approval until after the mature state population has been achieved, similar to hospitals and long-term care facilities. Finally, the municipality has no control over how funds for school facilities are spent. For these and other fundamental reasons, education should be financed from general tax sources available to municipalities and the province."

Having said this, we realize that EDCs are a key ingredient in the ministry's new funding model and will no doubt be used by growth boards to generate significant land-related revenue for new schools. As such, while we cannot endorse the use of EDCs as a general funding mechanism, we do, however, support the funding of new school construction through provincial grants. If EDCs are to be imposed at all, we support the principle that they be limited to cover the cost of land only. Elimination of the construction cost from the EDC, as proposed under Bill 160, will allow the development industry to focus its EDC bylaw review efforts on the area of business with which we are most familiar: the land component and its associated value.

Now let's turn to the specific provisions of the bill. Bill 160 is modelled in large part on the provisions of Bill 98, which provides municipalities with the continued authority to impose development charges for municipal services. While UDI is concerned that Bill 98 will not actually reduce development charges across Ontario, it did introduce a number of measures to improve accountability and to calculate the charges. Bill 160 benefits from Bill 98 in this regard.

The bill, however, is largely framework-style legislation. It lacks a lot of detail that will need to be articulated by the forthcoming regulations as far as this area that we are discussing this afternoon is concerned.

Section 257.61(1) of the bill, for example, provides a general framework for the calculation of the EDC, but a more detailed methodology has not been included. This is to be prescribed by regulation. Accordingly, a number of my comments are aimed at ensuring that the detail in the regulations mirrors the principles of the bill and provides the necessary direction to ensure that EDCs are properly and fairly calculated in the future.

Our first and most important concern is the determination of land value. Bill 160 proposes to amend the Planning Act by requiring as a condition of draft approval that a developer must offer a school site for sale to a board at a value that does not "exceed the value of the land on the day before the day of the approval of the draft plan of subdivision," or in other words, raw land value. Unfortunately, the full market value of that property would be much higher, reflecting the fact that the land is fully serviced, pre-graded and within a registered plan.

It is critical that developers who are impacted by a school site receive fair market value for their land and those who are not impacted be required to pay the same value. Large neighbourhood plans are usually developed today by landowner groups who look to share the cost or burden of non-productive uses such as schools, even though the actual site may fall on only one landowner's parcel. This owner must receive fair market value for the site or they will end up subsidizing the other developers. The principle of fairness must apply and UDI recommends that the legislation be changed to require the cost of land to be based on the local fair market value of a building-permit-ready, serviced — to the property line — and pre-graded site. Our support of this bill is conditional upon that change.

Exemptions for non-residential development: As a vehicle to promote new industrial activity, Bill 160 exempts from EDCs any expansion of an industrial building up to 50% of the gross floor area. We fully support this exemption and would suggest that the definition of "existing industrial building," "gross floor area" and other relevant terms be crafted from the Bill 98 regulations to ensure consistency.

The bill, however, does not provide the boards with the discretion to exempt other forms of non-residential development from the EDC, similar to Bill 98. We recommend that this discretion be specifically included, with the caveat that the residential share not be reciprocally burdened. If a board chooses to impose a non-residential EDC, the split should be based on the residential and non-residential activity projected in each sector over the next five years, unless a different ratio can be negotiated between the school board and the local development community.

1540

In terms of demolition credits, the current act provides an EDC exemption if a dwelling unit is destroyed and construction of a replacement dwelling on the same site commences within two years. Unfortunately, a similar exemption for non-residential development does not exist in the current act, nor has it been included in Bill 160.

Most municipal development charge bylaws contain a non-residential demolition credit provision to reflect the notion that there is no additional demand placed on the service brought about by the replacement dwelling. A provision should be included in Bill 160 or permitted by regulation to allow a non-residential EDC credit to be given for the gross floor area demolished. Therefore, the EDC would be paid only on additional floor area. In addition, we suggest that the exemption period for both residential and non-residential development be extended from two to 10 years to provide some flexibility to the developer as to when the replacement building is constructed.

In terms of the non-residential EDC based on gross floor area, the current act requires the calculation of the non-residential EDC on the basis of building permit value. However, many municipalities in the GTA no longer use declared value as the basis for building permit fee calculation, requiring the boards to take on the responsibility of calculating the value for each project as the basis for their EDC. The only available cost index we're aware of is the Toronto Real Estate Board index, which is problematic as it does not include some types of structures, such as farm buildings, sportsplexes, cinemas, restaurants etc. Similar to virtually all municipal development charges, Bill 160 should require that the non-residential EDC be calculated on a gross floor area.

In terms of residential EDC by unit type, the current act seems to suggest that the residential EDC must be calculated on a flat rate approach and Bill 160 is silent on the subject. However, a differentiated EDC which acknowledges the unique occupancies and pupil generation ratios for each unit type, would more closely reflect the cost of providing school services to new residential growth. Bill 160 should stipulate that the residential EDC be differentiated by unit type, such as single-family homes, town homes and apartments, consistent with most municipal development charge bylaws.

In terms of notice requirements, Bill 160 stipulates that the board must make the EDC background study available at least two weeks prior to a public meeting, but there is no minimum statutory time frame between the holding of a public meeting and the passing of the bylaw. Unfortunately, in practice this period is usually quite short, approximately three weeks, and this denies the industry an opportunity to properly review the complex calculations contained in the EDC background study. The EDC background study and the draft bylaw should be made available well in advance of the public meeting and at least 60 days prior to the passage of the bylaw. Ideally, the public should have access to this material at the same time it is submitted to the ministry for their review and approval.

In terms of EDC credits for land, Bill 160 indicates that a board may, with the consent of the minister, give an owner an EDC credit for land which has been provided to the board for pupil accommodation. UDI supports this provision but would suggest that the credit be mandatory

rather than permissive. The term "may" should therefore be replaced with the term "shall." In addition, it should be made explicit that full or partial credits are permitted.

In terms of exemptions for small additions and temporary structures, the bill provides for a number of limited statutory exemptions, relating mainly to the addition of one or two units to existing residential dwellings and enlargements to existing residential dwellings. However, certain building types generate limited, if any, pupils and do not trigger a need for service. We recommend that provisions be introduced which exempt all structures less than 100 square feet in size, external parking garages and all temporary structures — for example, sales trailers, seasonal bubble structures, enclosed weather protection structures — from the payment of an education development charge.

In terms of site size benchmarks, on September 5, 1997, the expert panel on pupil accommodation filed its report with the minister and, among other things, recommended that site size benchmarks be used by individual school boards when calculating their EDCs. We fully support the use of benchmarks, but it is unclear exactly how they will be factored into the EDC process. Presumably this too will occur by regulations.

Boards across Ontario have, for the most part, relied on outdated standards for determining site sizes, and this has led to excessive land requirements. The regulations must require boards to apply elementary and secondary school site size benchmarks when calculating the amount of land required for new standalone schools and for school additions. This approach is critical to driving efficiencies and cost-effectiveness into the land calculation process, where none existed previously, and should help to limit the excessive or gold-plated standards that are often imposed upon school boards by municipalities.

In conclusion, I would just like to say that our position on the issue of education development charges has been clearly defined for many years. Education provides, as I've said, a benefit to society in general and the general public as a whole should pay for this service. It should be financed from general tax sources available to municipalities and the province and not be limited to those who can afford to pay for new housing or establish new businesses. Municipal and education development charges act as a hidden tax, the combined effect of which undermines Ontario's competitiveness and impedes housing affordability.

As such, while UDI does not believe that EDCs are an appropriate funding mechanism for education, it does support the Ministry of Education and Training's new model for funding school construction which pays for the bricks and mortar through provincial grants. If EDCs are to be imposed, as proposed under Bill 160, UDI supports the principle that they be limited to cover the cost of land only and anticipates that EDC quantum will drop accordingly. Elimination of the construction cost from the EDC will allow the development industry to focus its bylaw review efforts on the business with which we are

most familiar: the land component and its associated value.

At this time, many of the details necessary for interpreting the effectiveness of the bill are lacking and have yet to be articulated in the regulations. UDI looks forward to working with the ministry and the committee in fleshing out these details and has submitted this brief with a view to improving the bill and the new EDC regime. In doing so, UDI has drawn from the extensive experience accumulated in negotiating 16 individual EDC bylaws since 1989 and the municipal development charge provisions of bill 98.

The need for new schools in Ontario over the next 25 years is real and significant, but it is critical that the funding mechanism be fair to all stakeholders who are responsible for making contributions. The ministry's new model in Bill 160 is a step in the right direction and UDI looks forward to participating in its refinement and implementation.

Thank you, Mr Chairman. Those are my comments. I'd be happy to try and answer any questions.

The Chair: We have approximately three minutes per caucus and we'll start off with Ms McLeod.

Mrs McLeod: I have a question out of curiosity more than anything else at the outset, Stephen, and then I have a couple of more technical questions.

I was curious about your decision to present in St Catharines rather than in Toronto. You are Toronto-based now, aren't you?

Mr Kaiser: Actually, home is a little way away in Fonthill, but yes, my office is in Toronto. This seemed to work out according to the plan of the day.

Mrs McLeod: In terms of convenience.

Mr Kaiser: Yes.

Mrs McLeod: You're one of only two presenters who actually have a half-hour spot here in St Catharines.

Mr Kaiser: I wasn't aware of that.

Mrs McLeod: There may be some students and teachers who are wondering how the Urban Development Institute got a half-hour here in St Catharines while they only got 10 minutes. I just thought there might have been a particular reason why you weren't presenting in Toronto on the minister's selected half-hour list.

Mr Kaiser: Actually, yesterday I was presenting on another bill, so I was tied up.

1550

Mrs McLeod: Fair enough. A couple of questions; first of all, one I probably should know the answer to. I don't need to ask any questions about the history of UDI on development charges, because we've been over that ground on a number of other occasions with different hats on. But I'm not familiar whether or not there's currently regulation governing the optional reserved school sites in new growth areas. Are there any regulatory conditions on that now other than just the ability of the board to set aside a reserved site?

Mr Kaiser: Not that I'm aware of, no.

Mrs McLeod: So this would be a recommendation for regulatory power in a new area.

Mr Kaiser: Correct.

Mrs McLeod: But it's not covered by the bill, is it? The provision for that kind of regulation is not in the bill?

Mr Kaiser: Well, through the provisions of the change to the Planning Act that I alluded to earlier.

Mrs McLeod: That would be amendments.

Mr Kaiser: Yes.

Mrs McLeod: Right. I have the feeling that if there are any amendments that the government is going to bring back to us in the clause-by-clause, we may see some of these among them. I did notice in the very last paragraph that you emphasized the fact that you did see some positive changes in terms of a very significant limitation on the use of development charges for educational purposes in restricting it to simply the purchase of land, and I would have been surprised if you hadn't noted that.

One of the questions I would then ask you is, the other very significant limitation — of course, we're dealing with an education omnibus bill and this is probably one of two opportunities that we're going to have to actually talk about the development charges aspect and the school capital provisions. There are very significant limitations being placed in the bill on the capital that will be made available for new schools and on the ability of boards to construct the new schools.

One of those limitations, as I understand, it is a cascading effect, that if you're in a newly amalgamated area, if there's a new growth area in one part of that new area but you've got some surplus school space in an area that's just been amalgamated, even if it's some distance away, students that are closer to the surplus space get bumped into that school and then they free up space in the school that's closer to a new development.

My perception is the end result of that will be a tightening of dollars for school capital from the grant system and that there will be many new developments that don't actually have new schools going in. Is that a concern for urban development, that there actually won't be schools?

Mr Kaiser: I should declare, in answer to your question, Mrs McLeod, that I sat on the panel in regard to pupil accommodation. We bounced that around the room and that was certainly part of the discussion. One of the concerns was the excess capacity, so to speak, within the existing school system, yet we were at the same time building schools in new areas. Some of this logic was to force utilization of the existing capacity within the school system before a new school is actually triggered. Whether that meant combining some schools within the existing system, selling off the excess capacity and then in effect moving that capacity to the new area, that would probably be the direction that would be propelled through this type of model.

Mr Lessard: Thank you for your presentation. I just wanted to make one point and that is that you're not alone when you say you feel there's too much that's left to the regulations in this bill. We've heard time and again today from parents, from principals, from members of the teacher's federations and many others their concern that

there is a lot of the way this bill is going to be implemented left for the regulations and we're not sure what those regulations are going to say. So there are a number of people who share that concern that you have.

I've been looking through your materials and on page 18 I noticed something I wanted to ask you about. When you say that "municipal and education development charges act as a hidden tax, the combined effect of which undermines Ontario's competitiveness," I was wondering, how is it that you feel that development charges would undermine Ontario's competitiveness?

Mr Kaiser: In answer to your question, the education development charges, whether they'd be for the land component only or for the entire school as they were under the previous legislation, are another form of taxation on a house, on a business. That tax is not necessarily perceived by the new home buyer but it's certainly included in the purchase price. It's this myriad of taxes all combined that has the ultimate effect, which answers your question, of actually limiting Ontario's competitiveness. To stretch it, as housing prices get higher, wage demands go in tune on a macro-type level. That's what we're pointing out.

Mr Lessard: What aroused my curiosity is the fact that you wouldn't disagree that we need to provide adequate facilities to provide education for children and that they need to be paid for somehow, and whether that's paid through a development charge or through some general levy on taxpayers in general, the impact on taxpayers in Ontario would still be the same. Rather than having it apply to a specific piece of developable land or across the province generally, your concern is with respect to the level of taxation generally, not with development charges specifically.

Mr Kaiser: I think it's more concerned with the taxation specifically in terms of the tax being actually —

The Chair: Sorry, Mr Kaiser, we have to move on.

Mr Kaiser: Fine.

The Chair: We have limited time. Mr Smith.

Mr Smith: Welcome. It's good to see you, Steve. The one item of your presentation — and I apologize, I missed a little bit of it. You said your support for the bill is conditional upon issues centring around fair market value, permit-ready serviced sites. Could we just revisit that and perhaps give me an explanation of that position.

Mr Kaiser: Certainly. As the bill is set up now and in my remarks, the person whose land the school site would be taken from, so to speak, would be paid on the basis of one day before draft plan approval. I know you're aware that's very similar to park dedication and how that's figured out. The fact of the matter is that developer who's singled out in a development where the school site would happen to be is at an economic loss for that specific site. The school board will get the site. It will be a fully serviced, ready-to-build site, yet they'll be paid at much lower dollar value than what the site is worth. The best example is, the school board could conceivably sell the site the following day for substantially more money than they actually paid for it the day before. That's the concern: The board should pay what the land is worth.

Mr Smith: I believe it was the Metro Toronto home builders during their presentation in Toronto that raised some concerns with respect to the use of the terminology around net education land costs and the growth-related net education land costs. Do you share a concern with that? Perhaps it's an unfair question in terms of the definition but it was an item that they raised in terms of its application.

Mr Kaiser: If you could elaborate a little more. I don't —

Mr Smith: It applies to the education development charge background study, in particular as it relates to estimates of the education land cost, and the net education land cost and growth-related net education land cost. Has your organization raised —

Mr Kaiser: I haven't been made aware of that concern.

The Chair: Mr Kaiser, thank you very much for your presentation on behalf of the institute.

Mr Kaiser: Thank you. My pleasure.

1600

ROBERT CLARK

The Chair: Our next presentation is Mr Robert Clark.

Mr Robert Clark: Robert Clark, no "e".

The Chair: We have your written presentation. We have 10 minutes. Please proceed.

Mr Clark: Obviously I can't make this in 10 minutes so I will be going through it and skipping over parts. If you're following along you'll be seeing me skipping.

Ladies and gentlemen of the committee, my name is Bob Clark. I am a teacher-librarian at Laura Secord Secondary School, which is in sight of this building. I am in my 29th year as a teacher. I also am a very concerned parent, having an almost 15-year-old daughter at Laura Secord and a 13-year-old daughter in grade 8 at Sheridan Park Public School in St Catharines.

With today's announcement that I, with every other teacher in the province, will be involved in the first province-wide political protest by teachers on Monday, a walkout, a protest that will close every school, it is all the more important that the government listen to those who are presenting at these hearings, unlike what they did when they ignored the hearings on Bill 104. I was upset that I only got 10 minutes at 104 because Ron Johnson, the MPP from Brantford, who was at those hearings, called me a special-interest group, and the groups got longer.

The government has taken great pains to convince the public that drastic change is needed in the public school system, that nothing short of monumental overhaul will suffice. Let us suppose for a minute that is right. Who has been solely responsible for every major change in the education system in Ontario for the last 30 years? The provincial government. Now that same perpetrator wishes to give itself total control of the system, devoid of opposition, devoid of criticism and devoid of common sense, and it will do so by regulation. That means that

every important decision made about education, should Bill 160 be passed, will not be made by an elected trustee at a local level as it is now, and given input from the community and from local school boards and teachers, but in some back room at Queen's Park by salaried appointees whose pontificating will be put into practice by the Lieutenant Governor in Council.

From the late 1960s and the Hall-Dennis report to the present, the provincial government has had a hand in shaping every important change in education, and when things have gone wrong, they have been quick to point the finger at others. Each decision affecting education has been made by a new Minister of Education eager to make a name for himself throwing together a collection of political appointees, most, if not all, of whom have not seen the inside of a classroom for decades and who make recommendations based on theoretical research based on a very narrow range of descriptors. Then these pearls of wisdom are put into law and thrust into the hands of teachers who have no say in them. Most often, the next government appoints a new education minister who throws everything out the previous government has done and reinvents the educational wheel, this even before the changes have had time to work.

Teachers have often taken the blame for foolish decisions by the provincial government, like the decision to end the teaching of grammar, which was in the Hall-Dennis report; like the decision to go to open-concept classrooms, which were quickly closed off; like the decision of a recent government to destream classrooms, which was called a grievous error, one that the Harris government says it will correct. Teachers opposed these and many other decisions that were quickly buried by successive provincial governments, and what did their opposition get them? It got the teachers derisive comments like, "Teachers are whiners," "Teachers resist change," and "Teachers want to preserve the status quo." Sound familiar? It should. That's what this government has said about teachers' opposition to Bill 160.

Even the government's new baby, the misnamed College of Teachers, has asked the government to scrap key sections of the controversial education bill. In an article by Tom Blackwell of the Canadian Press, he reports: "Sections of Bill 160 that seem to allow non-certified teachers into the classroom seriously undermine the role of the College of Teachers, and could hurt education generally, the college's governing council warned Thursday," and later, "But the college's lawyer noted Thursday that the legislation clearly makes it possible to have non-certified teachers actually instructing classes," something the new education minister, Dave Johnson, has denied. He sent a letter to the College of Teachers to "dispel misconceptions" that Bill 160 would allow unqualified instructors to head classrooms. It was published in the Toronto Star on Saturday.

Is Mr Johnson deliberately misleading the College of Teachers and the public, or hasn't he even read the act? At the end of the speech there are sections of the act which say they definitely can. He went on to say, "It is certainly

not the government's intention that Bill 160 would change teacher qualifications or alter the role of the college." This is the most blatantly misleading statement he could have possibly made, but it doesn't address the issue at all. It could replace every teacher in a school, not change their qualifications.

The College of Teachers went on to say that sections of Bill 160 threaten to "deprofessionalize the whole profession of teaching in Ontario." This damning statement comes not from the teachers' unions, but from the government's own creation.

Will uncertified people be able to do my job? Certainly a library technician could do part of my job quite successfully. He or she could stamp out books, run computer programs and process reading materials. But could he or she confer with other teachers, plan research lessons, engage in coordinating collaborative learning assignments, teach senior classes in advanced research techniques for independent research assignments? Could he guide whole classes of grade 10 generals through the integration of print materials — books — and electronic media for class projects? I think not.

Alberta's system has been touted as one of the best in Canada, but a study was done of school libraries after teacher-librarians had been removed. Some had some of the best collections of Disney classics in Canada. Others were stocked with real bargains from the neighbourhood supermarket. The researcher said the situation made her want to cry when she saw the results of untrained but well-meaning library replacements.

An even better example is music, and I know this personally. For years, the Lincoln County Board of Education ran an excellent elementary school music program taught by certified teachers. To cut costs, they reassigned the music teachers to the regular classrooms and had musicians from the Niagara Symphony, an excellent orchestra which has recently celebrated its 50th anniversary.

Both of my daughters were in the program under both types of teaching. The music program under the uncertified but highly qualified musician was better than nothing, but it was not nearly as good as what had occurred under certified teachers. Musicians specialize. The musician who was assigned to my eldest daughter's school, very accomplished at his own instrument, knew nothing of the oboe, for which my daughter had signed up. My younger daughter, who signed up in flute and who was assigned to the same musician a couple of years later, whose instrument again was not the flute, by grade 7 knew more about playing the instrument than did the musician.

Music teachers are required, by training, to be able to play and teach a wide range of instruments. A music specialist like a musician, while usually a better musician than a teacher in his or her instrument, is rarely experienced in more than a couple of instruments.

Bill 160 is probably the worst piece of legislation affecting education in the history of this province. The government has been embarrassed by having Gerald Caplan completely disassociate himself from the

government's attempt to cherry-pick the recommendations it wanted from his Royal Commission on Learning; embarrassed by David Crombie going to the public about his recommendations not to download social services on the municipalities in exchange for education when the government tried to claim it was just following the recommendations of the Who Does What to Whom commission; and finally found some obedient co-chairs in Ann Vanstone and David Cooke with its Education Improvement Commission.

In a panel discussion on TVO, Ann Vanstone said that they recognized the government would probably cherry-pick their recommendations, and this was all right. What she was admitting was that if the government could choose only the recommendations it wanted, then a lot of the recommendations of her commission were really no good. In fact, were even the ones the government cherry-picked really any good?

What about David Cooke? He's been rather quiet about the issue. Is this the minister of the former NDP government they criticized for almost ruining education?

Harris put down the teachers' unions and school boards for negotiating higher class size, something that Mr Snobelen in the Legislature said was the responsibility of the NDP's social contract. Oops. Did they forget they'd already blamed some group for this? And this was one of the reasons the Harris government gave for having to "save" education from such untrustworthy partners in education. The social contract eliminated 4.75% of the teachers and required the school boards and the teachers to renegotiate class size to reflect the fewer teachers in the classroom. That means it has only one place to go, and that's up.

I implore the members of this committee to put aside party lines for the sake of the students in this province. If you won't scrap 160 altogether, then at least take it off the table for the moment. In the last 30 years, no provincial government has listened to classroom teachers when it has come to reform. Commissions were made up of politicians, educational theorists and just about everybody else except teachers. Would you exclude doctors from a team that is looking at revising medical procedures? Would you have a butcher do brain surgery just because he is good at cutting meat? The educational reforms in Bill 160 make just about as much sense.

I go on and I do have a positive suggestion at the end about the setting up of a permanent commission which would be made up of, among other people, classroom teachers. Those classroom teachers or anybody else who has been out of the classroom for more than five years could not participate, because it's my opinion that once you're out of the classroom for five years, you really don't know what's going on. I wish you'd read the rest of it. I see my time is up.

The Chair: Thank you very much, Mr Clark, for your presentation.

PARENTS AGAINST CORRUPT TEACHING

The Chair: Our next presentation is Parents Against Corrupt Teaching, Jack Huisman. Welcome, Mr Huisman.

Mr Jack Huisman: I appreciate the opportunity to speak to this committee today concerning my horrendous experiences with the current Halton Board of Education, their failure in book selection policies and disrespect for parental concerns.

I am Jack Huisman, a parent of eight children. I'm the chair of PACT, Parents Against Corrupt Teaching, a non-sectarian group of 2,300 concerned parents.

PACT is cautiously supportive of Bill 160 in that it promises change and the restoration of parental rights in the education of our children. We encourage the ministry to remove the dictatorial powers of the educrats and the union bosses and then rightfully restore them to us, the parents.

We feel the new parent councils must become more than just advisory. The Milton parent council revealed that until PACT came along, they were involved in things such as running a drug awareness evening and helping with the student yearbook. They must have a greater, independent, direct voice. We continue to urge the ministry to implement parental choice in public schooling.

For two years, PACT has been addressing the issues of book selection policies and parental input, as illustrated by the introduction into the curriculum of the US novel *Foxfire*, approved by the Halton board in 1994. The official outrageous response of a principal, superintendents, teachers, trustees, board committees and a union president was, "Parents, please park your brains at the schoolhouse door." Their attitude is indicative of everything that is wrong with the current system.

Briefly, *Foxfire*, a story about 12-, 13- and 14-year-old girls, is a novel replete with profanity, vulgarity, blasphemy, Satanism, animal abuse, negative bias, stereotyping, alcohol and drug abuse, lesbianism, sexual and racial harassment and child pornography. Seventeen trustees rubber-stamped the novel without reading it.

Michael Coren, author and broadcaster: "Illegal and perverse sex, racism and voyeuristic violence infect the work from start to finish. When such material is used gratuitously and simply to titillate it is nothing but pornography."

Nearly 2,300 parents signed petitions and ballots to urge the Halton board to remove the novel from classes of 16- and 17-year-olds. In a credible public opinion poll to nearly half the homes in Halton, 98% of those responding voted to remove the novel from the curriculum. The vicious response from the liberal educrats and media was swift: "*Foxfire* represents the epitome of excellence in education," while they called me a Nazi bookburner, a white supremacist, uninformed, immature, uneducated, naïve, a crazy, censor-happy parent polluting public opinion.

A poll released just this morning reveals more 12-, 13- and 14-year-old girls getting pregnant by men in their 20s. The educrats' response is sure to be: "Bring on more excellence in education and throw in a few more condoms."

Snobelen took one look in this book and said this book had to go. Earl Manners took one look in this book and said parents had to go.

Terence Young, MPP, Halton Centre: "It is an absolute disgrace that people in a position of trust would foist pornography on our youth. Of all the beautiful literature out there, inspiring and uplifting, it's absolutely degrading to offer our kids the lowest of the low. It is further proof that our school board is dysfunctional and that they are making bad decisions on a regular basis."

Foxfire, a greatly exaggerated account of sexual immorality, fantasies and crimes, glorifies gang life. The Halton board, in support of the novel, states that the novel's overall message promoted social justice, yet the board's own rationale says: "As the novel closes we are left with a sense of the lack of social justice." *Foxfire*'s author insists: "It has no lesbian or homosexual scenes — in fact no erotic scenes at all. There are no gang rapes...." But the board's own rationale states, "A mentally handicapped dwarf woman is sexually abused by a whole gang."

The response from the educrats? Greame John Barrett, the Halton board's superintendent who recommended this novel to be approved, told the Oakville Beaver: "We cannot let them dictate the standards of the community." A few months later this superintendent was arrested with 19 other men in a police crackdown on illegal sexual activity in the Hamilton Royal Botanical Gardens.

A north Halton trustee currently seeking re-election finds contact with PACT threatening. One Milton trustee confessed that she gives parental correspondence a quick once-over and throws it in the garbage. Despite the fact that *Foxfire* received national media attention, another Milton trustee fantasizes, "This is not a monstrous issue."

Disrespect for parental input currently runs rampant. They manipulate. They lie. They promote disrespect for parents and government in the classroom while peddling the destructive philosophy of the union bosses that schools should be raising the children, not the parents.

The Halton board arranged for two committees to review the novel. The in-school review committee, in October 1996, and the regional review committee, in April 1997, both stacked with liberal educrats, approved the novel's continued use because students involved in the study of the novel loved it; also because Oates has acquired an international reputation as a writer, receiving literary acclaim. Therefore, in anything she writes now, the regional review committee found that "literary merit is present."

Contrary to the board's guidelines, the Halton board refused to grant parents the right to make presentations to the board to debate the issue even at the urging of Mr Snobelen. Three times a request was made to debate the issue with the trustees and three times they refused. The

issue was of such major concern to the trustees that they had their law firm send threatening letters to cease and desist to various members of the community, including CFRB. The truth simply had to be muzzled. Parental rights were violated and the media censored.

The board's policy statement charges teachers to be sensitive to the standards of the community and to individual viewpoints when selecting learning resources. The current Halton board has proven that it is insensitive to the standards of the community, as it not only introduced Foxfire into the schools but also introduced a sadistic Bernardo novel into two Halton school libraries, a book about the remorseless murder of one of our own Halton students. Yes, I'd say this current board is very sensitive, but only to the likes of guys such as Bernardo, while ignoring the tears of the victim's parents and the compassionate support of a loving, caring and supportive community whose standards are anti-Bernardo's and anti-Barrett's.

The Foxfire issue had such a major impact and became such a monstrous issue that Earl Manners, the president of the Ontario Secondary School Teachers' Federation, found it necessary to issue a special circular on Foxfire warning members to be vigilant over course interference from parents, to be prepared to fight, to stay calm and to be aware of rash or ill-considered actions. Federation policy maintains the right of teachers to select resources and that the study of pornography should be a fundamental right. Why is it okay for professionals to review school materials but not the child's own parents?

In my opinion, the teachers' unions are in the business of destroying today's generation of kids by eroding the moral foundations upon which this nation was founded. Today it takes \$14,800 to educate a student in Metro Toronto, and they want more and more.

The Foxfire mentality, together with all those who support it, has no place in the back-to-basics direction of the Harris government and its public school policies, and PACT urges all MPPs to support the bill.

The Chair: Thank you very much for your presentation. Your time has elapsed.

We'll proceed to our next presentation, Jeannine Jensen. Is there no one here by that name?

1620

ELEMENTARY PRINCIPALS' ASSOCIATION, LINCOLN COUNTY BOARD OF EDUCATION

The Chair: We will proceed to the Lincoln county elementary principals, Janet Savard. Good afternoon.

Ms Janet Savard: Good afternoon. I have with me Nancy Hartwell, an executive member of the principals' association. I am their president.

The Lincoln Elementary Principals' Association comprises 82 principals and vice-principals in 56 Lincoln county elementary schools from Grimsby to Niagara-on-the-Lake. Our mission is to provide effective leadership

towards the achievement of quality education in Lincoln county. Foremost among our mission statements is the goal that we will work consistently towards the improvement of education for the 858 teaching staff and 15,658 elementary students of Lincoln county.

Mike Harris and the Conservative majority have titled Bill 160 the Education Quality Improvement Act. While Conservative politicians may hope to convince the public that this bill makes way for a better quality of education, Lincoln's school leaders are speaking out against Bill 160.

Members of Lincoln's EPA have received a significant amount of training in how to bring about school improvement and enhance the quality of education in our county. Research in the field of total quality management tells us that employees realize their greatest potential in an atmosphere of positive support when given effective resources. The aggressive agenda of this government, expressed through Bill 160, is counterproductive to those tenets because it causes teachers to believe they are under attack. Its provisions strip teachers of their teaching contracts and their ability to negotiate their working conditions, a basic employee right.

Nancy Hartwell will address a number of concerns that Bill 160 brings under the headings of "Use of Unqualified Personnel," "Class Size," and "Collective Bargaining Rights."

Ms Nancy Hartwell: We have a recommendation about the use of unqualified personnel. Bill 160 provides the opportunity for boards to employ uncertified personnel to instruct students. This action deprofessionalizes and devalues teaching. Unqualified individuals presenting information or demonstrating skills in the classroom cannot be expected to have strategies for managing discipline and for determining students' stages of learning, nor can they properly evaluate and report on student progress.

In Lincoln county, where instrumental music is a voluntary program, trained musicians without teaching certificates are instructing small groups of students during the school day outside of their regular classes. While this has had limited success, we cannot imagine how any one of these instructors could teach a class of 30 students instrumental or vocal music. Yet Bill 160 could allow this to happen. Trained professionals have the necessary skills for motivating reluctant learners and addressing a wide spectrum of learning styles that a typical class of students presents.

No matter how skilled a person might be in their chosen field, one cannot assume that they understand the progression of learning that teachers have been trained to employ when engaged in curriculum development and lesson planning. Research in cognitive development points out ages and stages in child development, and teachers are trained to recognize the readiness of each student to move on to the next stage. Ministry documents provide guidelines and outlines about requirements for student learning that trained teachers develop into courses of study. How is an untrained instructor going to translate ministry guidelines into classroom practice or recognize when a

student is ready to advance to a subsequent stage of development?

Assessment and evaluation of students is another fundamental teaching skill and it has been a priority for school administrators and teachers in Lincoln county over the past few years. Perhaps this is the most challenging task that qualified teachers face. Assessment of students cannot be done effectively by unqualified personnel.

The sections of Bill 160 relating to the employment of unqualified personnel must be withdrawn.

We have a recommendation about class size. Bill 160 would place the control over class size in the hands of the government. This raises many unanswered questions. In Lincoln the average class sizes are already above the provincial averages. What would Bill 160 mean to the average elementary class size here? What is class size to be under Bill 160? Would the impact of class size averages mean that low-enrolment classes to address the needs of special students would be a thing of the past? Will the government establish increased class size as a tool for squeezing more teachers out of our schools in order to reduce costs? Details are lacking from this section of the bill. This is not acceptable.

Sections of Bill 160 that would allow government sole control over class size must be withdrawn.

We have a recommendation about the removal of collective bargaining rights. Elementary principals have been leaders in local collective bargaining committees. We are the eyes and ears of education. We know that teachers' working conditions are students' learning conditions and have bargained over the years with our local employers with that foremost in our minds.

Class size, pupil-teacher ratio, bargaining for special-needs students and specialist teachers are the direct results of collective bargaining. The current School Boards and Teachers Collective Negotiations Act, Bill 100, allows a fair balance of teachers' rights and students' learning conditions. Students have benefited from this stable environment and have not been held at risk by the process as the current government would lead us to believe. This stability will no longer be a reality under Bill 160, which would repeal that act.

The government insists on upsetting the collective bargaining process that has worked well for students, parents and school boards for 22 years. Although teachers have had the right to strike, there have been only seven instances of withdrawal of services in the elementary system province-wide since 1975, when Bill 100 came into being.

The sections of Bill 160 that would deny teachers basic collective bargaining rights must be withdrawn.

Ms Savard: In our capacity as leaders in education, the Lincoln county elementary principals and vice-principals cannot stand by and allow Bill 160 to pass, since we strongly believe it is detrimental to education in this province.

One of the fundamental rights of citizens is the right to good public education. Bill 160 gives this government a rigid centralized control and the power to run low-cost,

low-quality schools. This is not the type of education each citizen has a right to expect and indeed deserves. The citizens of Ontario have every right to ask that Bill 160 be withdrawn.

While Bill 160 does nothing to improve the quality of education, it does suggest that centralized power will enhance instruction. How can politicians in Toronto ever adequately determine the needs of our schools here in Niagara? This is viewed by teachers as a hostile piece of legislation in that it would undermine the teaching profession in Ontario.

Bill 160 sets up a situation where government has total control of education funding while eliminating collective bargaining in order to bring about monumental and damaging changes.

Administrators in Lincoln county cannot find one single statement in Bill 160 that will improve the quality of education in this province. We ask the government to withdraw this bill and start with something that is workable. Get input from the practitioners. Allow teachers to work with the government to enhance education in a cooperative environment, not under duress.

Bill 160 must be withdrawn. Our teachers and students deserve no less.

The Chair: Thank you very much. There's only about one minute left. Is there anything you wish to add to conclude your presentation?

Ms Savard: No, there isn't.

The Chair: I thank you very much then.

1630

SUSAN BISTROVICH

The Chair: Our next presentation is by Susan Bistrovich. Was I close?

Mrs Susan Bistrovich: Right on. Good afternoon, Mr Chairman and members of the standing committee. My name is Susan Bistrovich and I welcome the opportunity to present my submission to you regarding Bill 160.

Though I am a business unit accountant in the financial division of a major steel company, and though I have many years of parent volunteer experience in the education system at not just the local but at the regional and provincial levels as well, I speak to the bill today solely as a concerned parent of two children in publicly funded secondary education in the region of Niagara. They, and all other students, have an inherent right to a quality education and access to the tools necessary to meet their educational needs. My remarks that follow reflect my written submission, which you will find in the package you have received.

It is my view that the intent of Bill 160 has the potential, through amendments to the Education Act and other related legislation, to provide an equitable educational opportunity for all students in publicly funded education in Ontario, to initiate a major shift in education decision-making and to ensure public financial accountability.

I support the general direction of Bill 160, particularly as it pertains to limited class size and increased instruc-

tional time, differentiated staffing and legislation of school councils.

With respect to limited class size and increased instructional time, Bill 160 must be strengthened so that both are addressed in legislation rather than in regulation. This is essential in order to facilitate a consultative process which ensures there is a specific cap for each. Parents are profoundly concerned about the current ability of teacher unions across the province to negotiate increased salaries at the expense of class size and instructional time, so I support provincial authority in these areas.

However, while class size is an important criterion and has been the primary focus of discussion, the composition of the classroom must be given equal weighting in the process: for example, ESL students, challenged learners, disruptive students, to name but a few considerations in the makeup.

I support the notion of differentiated staffing, with the proviso that non-teachers be utilized in very prescribed areas such as guidance, library, computer labs and kindergarten. Specific qualifications should also be required such as library and computer science degrees, early childhood education etc. It seems to me that the recently formed regulatory body, the College of Teachers, is the most appropriate vehicle to develop the criteria for non-teacher certification.

I support the legislating of school councils, but not the notion that they should be advisory. The word "advisory" in conjunction with school councils must be removed from Bill 160. The specific role of these councils should be left to regulation as it pertains to authority and responsibility. In light of the creation of district boards and the determination of fewer trustees, school councils must be assured a greater role in decision-making affecting students and schools in their communities. To this end, regulation should address the inclusion of school council representation on board advisory committees, and the government should await the recommendations of the Education Improvement Commission, established through Bill 104, which directed the EIC to look at strengthened roles for school councils and increased parental involvement in education governance.

I support the shift of financial control of education to the province. When boards mismanage or misdirect education dollars, students are the ones most impacted. They become immediately disadvantaged. It is my view that public funds should be spent effectively and efficiently. Education equity requires financial equity. Therefore, I expect that any savings realized through education reform must be strategically reinvested in education. Such funding should provide opportunities for all schools to have the resources and flexibility they need to meet high provincial standards. I would offer that the formula for the rate of tax should be legislated, not regulated.

I support the intent of Bill 160. However, it must be amended. As it pertains to class size and teacher preparation time, ceilings must be legislated; as it pertains to differentiated staffing, specific qualifications, prescribed areas of instruction are required; as it pertains to school

councils, the word "advisory" must be struck from legislation.

In closing, Ontario's education system is undergoing profound change. We would do well to remember that concerns about protecting influence often get in the way of change. To take a quote directly from the 1994 Royal Commission on Learning: "To wait to introduce change until we have unanimity is to wait forever. There is probably no innovation that has benefited mankind that was not originally condemned by experts as impractical, impossible or immoral." In this case, the "innovation" is a more centralized and accountable education system, and the "experts" who would condemn are teacher federations that are most concerned, not about students, but about status quo.

Thank you very much for your time today.

The Chair: We have a little over a minute per caucus left.

Mr Froese: Thank you very much for your presentation. Over the last three days we've heard a lot about the number of issues where there's disagreement, particularly with the collective bargaining areas, and you touched on some of those too. What I'm starting to hear now is, and you said it in your presentation about legislating class size and preparation, "Don't put it in regulation, put it in the bill." Could you give us some indication how you would do that with class size when you've got different things in different communities? How would you legislate class size in the bill? Do you have any comment on that?

Mrs Bistrovich: I may not have phrased it the most appropriate way. The intent is that there would be some kind of formula, process, whatever, but it would have the opportunity for discussion and then be legislated in some fashion rather than addressed in the regulation later.

Mr Bradley: You say in the final part of your presentation, "In this case, the 'innovation' is a more centralized accountable education system, and the 'experts' who would condemn are teacher federations who are most concerned, not about students, but about status quo."

That's a pretty sweeping statement to make about teachers' federations and those who have made presentations across the province. Have I read that correctly, that you believe that the teachers' federations that have made presentations on Bill 160 are concerned about themselves and not about the education system?

Mrs Bistrovich: I think there is also a concern, certainly, about the system, but I would think that their primary purpose in making presentations is to, as they've stated, remove anything related to collective bargaining from the bill. That seems to be the main focus, from what I've heard today from many representatives of various components of the teacher federations, what I'm hearing on the news, what I watched today. That's my own personal view, yes.

Mr Lessard: You've mentioned specifically that ceilings with respect to class size must be legislated. We've heard from previous presenters their fears that perhaps having class size regulated instead of legislated could permit them to actually go up rather than to be

limited, so that's a good suggestion. I wonder whether you have some idea of what those ceilings may be and whether you think they should be different for primary, intermediate and senior levels of education.

Mrs Bistrovich: I wouldn't pretend to have all the answers. I think that's something that would have to come out through consultation. My children are in the senior levels of secondary school. I've already experienced a myriad of class sizes over the years that they were being educated. Personally, I found that the smaller class sizes were far superior for my own situations.

Mr Lessard: Would you agree that we need more consultation on class size before passing Bill 160, then?

Mrs Bistrovich: If my understanding is correct, if it were made part of legislation in some way, there would be the opportunity for consultation.

Mr Wildman: That's what this is. This was it.

The Chair: Thank you, ma'am, for your presentation here today.

1640

HOLY CROSS SECONDARY SCHOOL

The Chair: Our next presentation is the Holy Cross school and student councils. Welcome. I would ask again that you identify yourselves for the purpose of Hansard and then proceed with your presentation.

Mrs Connie Tracey: Good afternoon. My name is Connie Tracey. I'm taking part in today's public hearings as the chairperson for the Catholic school council for Holy Cross Secondary School. I shall be reiterating views and concerns that have been expressed and unanimously agreed upon by our council. With me are two young ladies. You've already met them. They are voicing the opinions of our student council.

This government promised some months ago that it would create a crisis in education. It has done just that with Bill 160. It has tried to create the impression that Ontarians are dissatisfied with their education system and that schools are turning out less than adequately trained students.

Fact: Polls done in 1996 by Environics and by Vector Research and Development indicate that the majority of Ontarians believe that education reform and reduction of education spending are incompatible, that you cannot do both at the same time; that secondary school reform changes will worsen the system, not improve it; that parents of school-age children have a high level of confidence in the school system, especially the schools in their communities; that not enough money is being spent at all levels — elementary, secondary and post-secondary; that the quality of teachers is the most important contributing factor in the success of our children in school — to quote, "Teachers are the system."

The government's comments that our students do not do well if we compare them globally is based on poorly interpreted or manipulated test results. Many of the questions on these tests dealt with material that is not covered in Ontario's curriculum. You cannot test students

on information they have never been taught and expect usable results. Evaluation based on the number of correct answers with respect to the material taught results in a very different conclusion.

We would also like to point out that here in Ontario we have public education. Every child, on reaching a certain age, is entitled to go to school. Therefore, random testing will include children who do not speak English, who are developmentally or physically challenged, who suffer abuse, who go to school in the morning with empty stomachs, who are exposed to wonderfully stimulating environments, who are gifted. The entire gamut of students is involved in random testing. Comparing results from random samplings to results from some handpicked groups is hardly comparing apples to apples. So why compare at all? To give the impression of a weakness that does not exist.

Regarding teacher preparation time, we won't attempt to list all the things a teacher does with this time. The list is endless and we're sure you have heard endless lists. We do want to point out, however, that without this time the students would lose many extracurricular activities, and for some, school provides the only occasion for them to be exposed to some of these opportunities. One of the vague rhetorical statements this government continues to make over and over is that less prep time means that teachers will have more time to spend with students. Do the math. The correct statement is that less prep time means teachers will have more students to spend less time with, and this translates into fewer teachers, larger classes, less availability of subject choices and teachers possibly teaching outside of their area of expertise. The fact that some other provinces may have less prep time in their schools is not a legitimate reason to reduce it in our own. Why must we work towards the lowest common denominator?

The idea of non-certified personnel in the classroom is frightening, aside from a resource standpoint. I repeat, this is a public education system. A teacher must adjust and mould whatever curriculum is being presented to make it suitable to the abilities and personality of his or her class. Facts and information are unimportant if they cannot be imparted to the students and the amount of learning evaluated and gauged. A teacher is trained in these aspects, and most teachers continue to take courses during their careers to enhance these abilities.

Finally, the most unconscionable aspect of Bill 160: This democratically elected government would make a mockery of this very democracy by giving the Minister of Education — no background in education necessary — the unilateral power to close schools, take over boards, set taxes, cut funding and more, all without having any public process whatsoever. Where is the accountability here? How can this be acceptable to any voter in Ontario?

In conclusion, there is no common sense in this Common Sense Revolution. Bill 160 is a thinly disguised attempt to fund a promised tax cut. Buzzwords like "quality reform" and "rigorous curriculum" do not make it more palatable. Talk about class sizes means nothing

without giving us numbers. We can't seem to get a straight story on funding. One day we lose a billion, the next day we gain a billion, and then we find we've already lost \$660 million more, and still no funding models. Do not expect us to accept something so vague, so one-sidedly empowering and so potentially damaging from a government that has so little credibility.

I now turn the floor over to two very good examples of our education system.

Ms Coholan: My name is Erin Coholan and I'm the student council president at Holy Cross.

Bill 160 will directly affect students like myself throughout the province. The future lies in the hands of what we, the adults of tomorrow, learn today. As a student, it scares me not knowing in what direction education is headed. We have asked the question, "What is going on with Bill 160?" and received no direct answers. The bill is unspecific and the funding model is necessary to assess the government's proposed action. Figures must be stated, such as the number of students in capped classes. The evaluation of professionals who are not teachers and the courses taught by non-teachers should be stated specifically and not termed "notwithstanding."

In the report *The Road Ahead*, recommendation 2.7 states that any savings realized through the restructuring of school boards should be reinvested in the education system. As students, we feel this recommendation should be seen through in order to ensure quality education.

Another major concern is that too much power is given to the government. Changes have come about too quickly and we are afraid that all specifics are not being defined. A great deal of effort, planning and time in legislation are necessary when deciding the future of today's youth.

We feel that people directly involved with education should have some say in education improvement. They are the ones we see after school on the football field, on the stage, the ones who are available to us for extra help and the ones who show us they care every day. As students, we do not have this personal relationship with members of Parliament. An enabling bill allows for the possibility of a worst-case scenario. Education would solely be in the hands of the government and more specifically the cabinet.

This would require total trust in the government and its successors, who are not offering any guarantee.

As students, we are unable to vote. If we can trust the government, then why is collective bargaining being eliminated? This is not democracy. What is the government afraid of? We believe teachers would support the best-case scenario. It is clear that teachers, the government and students all have a common goal, and that is called quality education. However, these groups have different views on how to get there, but I guess the basic principles of cooperation we learned in kindergarten get lost in politics.

The Chair: There's one minute left.

Ms Maggio: With cooperation comes collaboration, which is key to ensuring the resolution of this debate over Bill 160. Changes need to be made. They must if there is any hope to avoid this teachers' strike.

The international testing presented by our Conservative government may prove that some advancement in curriculum should be made. However, even that is questionable. But let us not believe the government's statement that our system is broken. If we the public were to evaluate these international tests in the manner the government is suggesting, then an international curriculum would be necessary to rate countries fairly, which at this point is extremely unrealistic.

We also realize that decreasing the deficit is important and the main agenda of this government, and that available cuts are justifiable as long — and we need to stress this point; it must be clearly understood — as cuts do not interfere with the quality of education we are currently receiving.

Students are the future of Ontario and we deserve the best possible education to ensure the success of our future, thus ensuring the future success of this province, which is what both the teachers and the government want, is it not?

The Chair: Thank you very much for your presentation here this afternoon.

That concludes our business here today. We are adjourning to the city of Chatham at 10 tomorrow morning.

The committee adjourned at 1650.

Ontario Public School Teachers' Federation, Niagara South District.....	J-2566
Mr Dale Ford	
Urban Development Institute/Ontario.....	J-2567
Mr Stephen Kaiser	
Mr Robert Clark.....	J-2572
Parents Against Corrupt Teaching.....	J-2574
Mr Jack Huisman	
Elementary Principals' Association, Lincoln County Board of Education.....	J-2575
Ms Janet Savard	
Ms Nancy Hartwell	
Mrs Susan Bistrovich	J-2576
Holy Cross Secondary School.....	J-2578
Mrs Connie Tracey	
Ms Erin Coholan	
Ms Shona Maggio	

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr James J. Bradley (St Catharines L)
Mr Tom Froese (St Catharines-Brock PC)
Mr Tim Hudak (Niagara South / -Sud PC)
Mrs Lyn McLeod (Fort William L)
Mr Bruce Smith (Middlesex PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Mr Wayne Lessard (Windsor-Riverside ND)
Mr Bart Maves (Niagara Falls PC)
Mr Frank Sheehan (Lincoln PC)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Mr Andrew McNaught, research officer, Legislative Research Service

CONTENTS

Wednesday 22 October 1997

Education Quality Improvement Act, Bill 160, <i>Mr Snobelen /</i>	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, <i>M. Snobelen</i>	J-2527
School Advisory Councils of West St Catharines Schools	J-2527
Mrs Barbara Paris	
Ontario Public School Teachers' Federation, Lincoln District.....	J-2529
Mr Brian Feschuk	
Mr Roy Paluoja	J-2537
Mr Uwe Kretschmann	J-2538
Mr Richard MacKinnon	J-2539
Norfolk Board of Education	J-2541
Ms Lori Burroughs	
Mr Peter Rasokas	
Mr Ken Sheppard	
Secondary school council chairs, Lincoln County Board of Education.....	J-2542
Mrs Liz Palmieri	
Mrs Jane Branchflower.....	J-2544
Ontario English Catholic Teachers' Association, Brock secondary teachers unit	J-2545
Mr Larry Newton	
Lincoln County Board of Education secondary school principals and vice-principals.....	J-2547
Ms Joanne Bascom	
Ontario Secondary School Teachers' Federation, District 6, Lincoln.....	J-2548
Mr Bill Brown	
Ontario Principals' Association	J-2550
Mr Lance Gianelli	
Mr Paul Kelly	
Mrs Marlene De Rose	
St Catharines and District Council of Women.....	J-2553
Ms Milica Kovacevich	
Ontario English Catholic Teachers' Association, Lincoln County	J-2555
Mrs Karen Dunn	
Mr Tom Purser	
Mrs Salli MacDonald	
Quaker Road School Advisory Council.....	J-2557
Mr Greg Reid	
Concerned Students Coalition.....	J-2558
Mr Paul Empringham	
Ms Erin Coholan	
Ms Shona Maggio	
Mr Blair Wiley	
Lincoln County Catholic School Board.....	J-2560
Mrs Lorna Costantini	
Ms Kathy Burtnik	
Ontario Secondary School Teachers' Federation, District 36, Wentworth	J-2561
Ms Lynn Phelan	
Ontario English Catholic Teachers' Association, Welland unit	J-2563
Mrs Patricia Vernal	

A 20N
YCH
-577



J-77

J-77

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Thursday 23 October 1997

Journal des débats (Hansard)

Jeudi 23 octobre 1997

Standing committee on administration of justice

Education Quality
Improvement Act, 1997

Comité permanent de l'administration de la justice

Loi de 1997 sur l'amélioration
de la qualité de l'éducation

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Thursday 23 October 1997

*The committee met at 0958 in the Best Western
Wheels Inn, Chatham, Ontario.*

EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good morning, members of the committee and ladies and gentlemen. This is a continuation of the sittings of the administration of justice committee consideration of Bill 160, the Education Quality Improvement Act, 1997. The committee would like to welcome Mr Pat Hoy, member for Essex-Kent, and Mr Jack Carroll, member for Chatham-Kent, in which we are presently sitting.

Mr Jack Carroll (Chatham-Kent): That's right, Mr Chairman. If I could just welcome everybody to the fine city of Chatham this morning, we're delighted to have you here.

I want to sneak one other little thing in here while I have the floor. I noticed today on the agenda that 14 of the 31 presenters represent organized teacher unions. We have a group of students in the audience who tried to get on the list and couldn't. I'd like to ask if maybe one of those organized teacher unions would agree to relinquish their spot to allow these young people to be heard or, failing that, Mr Chairman, maybe we could sit for an extra 10 minutes at lunch and hear what they have to say.

Mrs Lyn McLeod (Fort William): Mr Chairman, as you know, I have regretted that there aren't a lot more people who could be on the list, but I would certainly be prepared to sit over lunch to give the students the same time slot that others who are on the list would have. It won't be long. They're 10-minute sessions.

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Jeudi 23 octobre 1997

The Chair: I understand the students will be here all morning, so we could make that decision later on today. You could raise that again, Mr Carroll. If there are no other matters —

Mrs McLeod: Mr Chairman, I am going to present a motion. I'm not going to speak to it, you'll be glad to know. I want to get on with the presentations today. I also know that I'm presenting a motion which is going to be defeated, so there's not a lot of point in speaking to it. However, I feel compelled after the events of yesterday to present this motion.

My motion is that the committee express its dismay that the Premier's provocative and inflammatory comments in a televised message have made a confrontation all but inevitable and have made any constructive work by this committee on key issues of Bill 160 virtually impossible.

I won't speak to it. I just wanted to present it because yesterday afternoon we had a presentation from the Ontario Principals' Association in which they recommended a cooling-off period with a very specific recommendation as to how that cooling-off period could be brought about. The parliamentary assistant was asked if he would forward that recommendation on an immediate basis to the minister. The minister continues to talk about the possibility of negotiation, but I believe that last night the Premier made it clear that the government is determined to have this confrontation. Therefore, very regretfully, I place the motion and will not speak further to it.

The Chair: Thank you, Ms McLeod. We have a motion before us. Hopefully no one else will speak to it because we ran into trouble yesterday in that we used approximately one hour of time and made people wait for one hour, which I found very uncomfortable, as I believe all members of the committee did. If there's no further discussion, I'll put the motion. Do you wish a recorded vote?

Mrs McLeod: Yes, please.

Ayes

Hoy, McLeod.

Nays

Boushy, Froese, Rollins, Smith.

The Chair: The motion fails.

ONTARIO TEACHERS' FEDERATION,
LAMBTON COUNTY AFFILIATES

The Chair: We shall now proceed to the first presentation, the OPSTF, Lambton, Mr Wayne Schultz. Good morning. There will be other individuals accompanying you. If you wish to place their names on Hansard, please introduce them to the committee. You have 10 minutes, starting now.

Mr Wayne Schultz: Mr Dan Tighe, OECTA; Mrs Agatha Gare, LCWTA; Karen Pluard, OECTA; Jane Hulme, OSSTF; and Mike Hinch, AEFO.

Even though I'm listed on the agenda as being the presenter, I'd like to point out to the committee that this is very definitely a joint presentation of the five teacher affiliates of the Ontario Teachers' Federation in Lambton county and the local affiliate presidents are prepared to answer any questions with respect to our brief.

We represent approximately 2,000 teachers and other educational workers in both the public and separate schools of Lambton county. Our membership includes teachers, occasional teachers and educational support workers. These workers have all expressed concerns about the impact which Bill 160, the Education Quality Improvement Act, 1997, will have upon them.

The large majority this government has carries with it a responsibility to take care of the democratic process. Government needs to have the trust of its electorate and should never trample upon the democratic rights which are held very dear by all Ontarians. The proposed legislation eliminates local control of education, centralizes power and removes teachers from any real partnership in this, shall we say, right to free collective bargaining. It's an assault on our professionalism and it impinges upon the rights of our students to quality education in their schools. This brief sets out the position of the teachers of Lambton county on just some of the issues that are in this massive omnibus bill known as Bill 160.

Our major concern in this area is the loss of ability of the people who live and work in Lambton county to deal with local Lambton issues. The former minister, Mr Snobelen, suggested teachers and their local school boards could not be trusted and perhaps a crisis should be created. We believe that his resolution to this crisis was that the government could step in and take complete control of every aspect of education.

We are definitely very trustworthy in Lambton and we are prepared to continue to provide and to maintain quality education for our students. We have worked closely with our respective boards and have dealt very effectively with Lambton issues.

Bill 160 establishes a very different bargaining regime which will make the Labour Relations Act of 1995 applicable to teachers. This could create additional pressures on the Ontario Labour Relations Board, which is increasingly understaffed and underfunded; our figures say about 20% less than in the early 1990s. The addition of teachers, we figure, will certainly interfere with the ability of the OLRB to hear and to deal quickly with issues. We can

only hope this government has used some common sense, if I might use that term, in realizing that adding 125,000 teachers to OLRB responsibilities is certainly going to hinder its effectiveness.

This proposed legislation severely restricts the scope of bargaining. It empowers the provincial government to address a number of collective bargaining issues through regulations in such critical areas as class size and preparation time — two very, shall we say, popular ones with the media. These working conditions are local issues and must be dealt with in the local environment. We believe these must be negotiated at the local level to protect and enhance quality education. You must remember that teachers' working conditions are certainly students' learning conditions.

The government has misled the public with statements that the teacher federations have bargained higher class sizes in order to gain wage increases. It's not true in Lambton. Since 1992, the only wage increase that has been bargained is about 1%. At the same time, the impact of the social contract, regardless of the fact that it came from the NDP government, permanently downsized our staffs 4.75%. We didn't have any control over that and we certainly did not bargain it. This increased class sizes.

What we have been able to bargain is simply how we can pay for what we were legislated into. The fact is that prior to the social contract, we'd been negotiating class size reductions, much contrary to what our Premier and the former minister, Mr Snobelen, and I believe Mr Johnson are presently trying to say.

The assault of Bill 160 on preparation time could further reduce our teaching staff in Lambton county by 99 positions. That's certainly going to increase class sizes, not curb them or make them any lower. Although this government claims to wish to keep class sizes small, we feel the effect of Bill 160 is going to increase them, not decrease them.

It's also been suggested that the reduction of preparation time is necessary at the secondary level only and that more quality education will result from increased teacher contact time. The only thing that's going to increase is the number of students a teacher is going to see each day. This isn't going to improve the quality; it's simply going to reduce teacher jobs.

In recent years we've seen class sizes forced up by budget cuts. Research is clearly on the side of smaller classes. We feel that without the ability to negotiate these class sizes, we're going to see classes in the high 30s and 40s in Lambton county and across the province. The election promise of not hurting students in the classroom will definitely be broken in Lambton county.

In Lambton, we've already experienced losses due to funding cuts. Several areas have been reduced: music, technology, adult education, student services and resource personnel for special-needs students. The public school board closed five schools this year to save money and better utilize dwindling resources. Boards may have to do more when the funding formula is released and the new cuts to the education budget come down.

1010

The long-promised funding formula remains a secret. Why hasn't it been released? Is the government afraid to release it? How does this government expect Lambton boards of education to plan budgets when the numbers are unknown? These questions deserve answers. The issue's going to be further confused in January 1998 when the new amalgamated district school boards become legal entities.

Differentiated staffing: a proposed change to allow people without teaching certificates to teach in our schools. At the same time, the College of Teachers created by the present government says that in order to teach you must have credentials. It seems very confusing. The government's suggested areas, although it's not specific to those alone, where people don't necessarily need to have qualifications: computer education, guidance, industrial arts, library, kindergarten, music, visual arts and physical education.

Although these people have expertise in their fields, they don't have teacher training, and that's the training that makes the difference. In Lambton, we respect the value of these people and they're already used to augment a great many programs: guest speakers in arts programs, contemporary studies programs. The PAIRS program and co-op education are excellent examples of where we've already used these experts without Bill 160.

Another question that, if you will, completes this: Will properly trained teachers eventually become very rare sightings in Lambton classrooms?

We make three recommendations, as you see, the first one being that the Education Quality Improvement Act be amended to eliminate any restriction on free collective bargaining; second, that it be amended to eliminate the regulation-making powers, in particular on class size, preparation time and differentiated staffing; and finally, that the committee very seriously consider all of the briefs that will be presented by our provincial affiliates of the Ontario Teachers' Federation. Thank you.

The Chair: Thank you very much, Mr Schultz. There's still one minute remaining and I am going to invite any further comment that you or members of your delegation would like to make to the committee.

Mr Schultz: We're prepared to answer any questions you may have of us.

The Chair: It's very difficult in one minute to provide questions from the committee. They would only have 20 seconds each and that's why I'm inviting you to use that time by making any further comment you might have.

Mr Schultz: Thank you, sir.

The Chair: Thank you very much. Mr Boushy, You cannot ask a question. Then I'd have to permit all three parties —

Mr Dave Boushy (Sarnia): No, it's just a statement. This delegation is from my home riding and I just want to thank them for being here today. I think it was a very good brief, and on behalf of my fellow colleagues I want to thank you very much.

Mrs McLeod: Just as a point of order, Mr Chairman: At the beginning of our sessions I do want to express the regret certainly of opposition members of the committee that the time slots for all of the presenters who are not on the minister's rather exclusive list are only 10 minutes. We have representation of five different federations who are here but have a total of two minutes each to deal with an omnibus bill that is probably the most emotionally difficult time in their history in teaching. I regret that, but I appreciate you being here.

The Chair: Mr Lessard, did you want to comment?

Mr Wayne Lessard (Windsor-Riverside): No, I think Ms McLeod said it very well.

The Chair: Thank you very much for your presentation here today.

KENNETH DICKSON

The Chair: Our next presentation is Mr Kenneth Dickson. Welcome.

Mr Kenneth Dickson: I'm a parent of three children who attend a 200-student public school in Wallaceburg. I've submitted my brief in duplicate. Many of these points are understood and the points may have already been made, so I'll just read them.

(1) In order to maximize the effect of learning, as parents we feel that parents and teachers have to work together as a team.

(2) The current policies which support the educationally challenged student need to be reviewed and possibly reorganized in such a way that average students don't become distracted in their education program.

(3) More or less preparation time is not as much an issue as who writes policy that controls the amount of preparation time. The teachers on our school advisory council are concerned about the control of the preparation time, not more of it or less of it.

(4) A longer school year does not seem to be an issue in conversations that I, as a parent, have had with our local teachers.

(5) Discipline during school hours and the ability to give a deserving student a hug are part of what is required to build a person. This must be done appropriately, but it must be done.

(6) Cutting cost: Ask the teachers and the nurses. This is directed to the government of Ontario. These are the people who see excesses every day.

(7) Depend on your school principals to manage your schools. Leave some latitude in the policy so that principals can function and don't tie their hands.

(8) It may be helpful for the province to suggest a fee schedule for tutors. Tutors could assist the process in evenings by helping with homework.

(9) Students could provide a deposit of funds at the beginning of the school year for books and be refunded at the end of the year based on the condition of the books. This is another possible cost-saving idea.

(10) Do we need a board of education? We as a province should review with the province of New

Brunswick their experience with regard to the amount of supervision principals and teachers need. I might add here that New Brunswick's experience may not be all good and we should find out what was successful and what was not successful in the changes they've made.

(11) Please do not build new buildings just because we have amalgamated school boards. The taxpayer can't afford more buildings.

(12) Air conditioning of schools: a must if we expect our children to spend two more weeks in school during the hot summer period.

(13) Splitting classes and increasing or decreasing class sizes requires latitude in the position of the principal. It's an individual school need.

(14) Teachers who practise life-long learning and who are actively involved in extracurricular duties should be given the freedom to stay in their home school.

(15) Teachers who do not put in extra effort should be subject to change; again from a parent's point of view.

(16) Cutting of funding without reducing overheads could result in a user-pay scenario. This would not be acceptable. It would cut out underprivileged students.

1020

(17) With the province setting the education property tax rates and being responsible for the distribution of those funds, schools will be more equitably treated. Any funds raised by an individual school may be spent on any form of education aid or equipment. Any funds raised by a school and any equipment purchased by those funds should not come into the tax distribution question. The idea here is that school advisory councils and PTAs are raising funds locally and are wanting to build their own school's computer accessibility to students. We're concerned that the school board will say, "That school has so many computers so we'll cut the funding to that school because they don't need more computers."

(18) Put Bill 160 on hold until you release your funding model. With a little more information about funds that are available in the mix, it may be cause for some relaxed discussion between the two groups.

(19) EQAO level 4 in the grade 3 testing is unattainable. As a parent, level 4 is not attainable. It's ambiguous. My six-year-old in grade 3 is an excellent math student. Level 4 is not attainable in my opinion. It says "exceeds expectations." How can you exceed the expectation of what two plus two is? It's four. How do you exceed that? It is an ambiguous level. It's unfair.

(20) How will Toronto communicate with advisory councils that you have now set up under the new arrangement?

Thank you. That's all.

The Chair: Thank you very much, Mr Dickson. We have about 40 seconds per caucus.

Mr Pat Hoy (Essex-Kent): Thank you very much for your presentation this morning. You raised 20 very interesting and good points here. Number 18, "Put Bill 160 on hold until you release your funding model," I think is an excellent suggestion. Ms McLeod this morning suggested in a resolution that we should have a cooling-off

period. You may know that the government wants to take \$667 million out of education. The deputy minister has an enhancement in her contract to do just that.

If the government is intent on taking money out of the system, it would only seem right —

The Chair: I'm sorry, 40 seconds is up. That's the trouble with the short periods of time.

Mr Lessard: Thanks very much for your presentation. It's always good to hear from parents with respect to issues that are affecting their children. I wondered, what are the ages of your children, what grades are they in, have you made some arrangements as to how you're going to deal with the events that we expect may unfold on Monday and what concerns does that give you?

Mr Dickson: I have a five-year-old daughter in senior kindergarten; she refers to it as "senior." I have a nine-year-old in grade 4 and an 11-year-old in grade 6. As a group of parents in the town of Wallaceburg, our plan is to come together as a voluntary group and find a location other than the school to provide some kind of program. There's a tentative meeting starting to come into some solidification now.

Mr Tom Froese (St Catharines-Brock): Thanks for your presentation. I really appreciate your comments in item 17 — and I totally agree with you — that if funds are raised by the local school's advisory committees, those funds should stay in the school. As you know, the bill allows for more parental involvement. You could advise principals on such matters as school discipline, school safety and local priorities. I think that's a good point you make. Could you give us a few comments on how you feel and how you would advise the government of more parental involvement? How would that work?

The Chair: I'm sorry, there will not be time for the answer. I, however, thank you, Mr Dickson, for your very thoughtful presentation here this morning.

Mr Tom Chalmers? Mr Chalmers?

We will proceed to the next person.

Mr Carroll: We have a vacancy here. What about listening to the students here?

The Chair: That may be, but they're going to be here all morning. We're going to deal with the people who are on the agenda first and then —

Mr Carroll: They may need to go back to class.

The Chair: I believe you told me they were going to be here all morning; otherwise I might accommodate you.

BOB ERNEST

The Chair: Mr Bob Ernest?

Mrs McLeod: Mr Chairman, Mr Ernest would be prepared to step down one time slot if that accommodates Mr Carroll's group.

The Chair: I think we may have the time. It's just going to be later on, that's all. I understood the students were going to be here all morning.

Mrs McLeod: That's fine, Mr Chairman. I was just trying to be helpful actually.

The Chair: If they want to go back to school, then I'll certainly let them on after Mr Ernest.

Proceed, Bob.

Mr Bob Ernest: I'm very pleased to have the opportunity to speak with you this morning. A little bit about myself: I'm a teacher with the Waterloo County Board of Education, have worked in education for over 34 years. In that time I've been a classroom teacher and an English consultant with the Waterloo County Board of Education. I'm also the past chair of the English Language Arts Network of Ontario. That's a provincial organization of curriculum leaders from boards of education across Ontario.

I'm concerned with many aspects of this bill. Other groups will have detailed my concerns much more than I can this morning. I wish, however, to focus on three areas only. In considering what I would say this morning, I looked at the three different hats that I wear: (1) as a political activist, one who believes in the political system, in democracy, one who thinks that you can work through the system in order to make changes; (2) as a teacher in the classroom; and (3) also as one who has been involved with professional development, developing curriculum for teachers, the implementation of curriculum, not only in the Waterloo county board but across Ontario with my provincial role.

As a concerned citizen, this last weekend I went to the Conservative policy conference in London to feel that by working through the system I could have an input into what was being said. I found that in meeting with other Conservatives this weekend there were certain concerns that we share. I'd like to pass on to you, in a few points, some of the concerns that I heard from Conservatives this weekend.

In the education session, which was attended by 220 people, there were a number of different parts, groups that worked together and reported out. In my group there was a feeling that the way this bill and the way this Premier and the past Minister of Education have handled educational concerns has poisoned the educational climate in Ontario, not only in the classroom but within the parent community. As my group agreed — and some of the MPPs I talked to — the teacher-bashing has got to stop.

Several mentioned concerns over provisions that are in this bill that allow for non-certified teachers, especially in the areas of library, guidance and early childhood education. Several boards, as was pointed out within our group, have eliminated the position of teacher-librarian, a very important role within schools.

Concern was also expressed that there's been too much emphasis placed on taking money out of education. It is felt this is one of the main reasons for this bill.

High school teachers expressed concern that the increased teaching load as a result of the loss of preparation time will mean less time for individual students. Elementary teachers mentioned that all the cutbacks over the past few years have meant larger classes, outdated textbooks and outdated resources. From my background in curriculum, I know the pace of change with this government has

been unreasonable. This bill, like so many other initiatives, is making for chaos.

Last June, new elementary expectations in language and math were introduced. The minister at that time announced he expected these to be in place this school year, without the resources to support the new expectations and without the professional development to support them. For grades 7 and 8 teachers, for example, this is the third new English guideline in the past 10 years.

1030

The government must commit to reinvest any savings from Bill 160 and Bill 104 into the classroom and into professional development that supports the classroom.

The reduction in the number of professional development days in this bill will do nothing to enhance the quality of education in Ontario, as in the title of this bill. The reduction of preparation time will do nothing to enhance education quality at a time when all teachers, elementary and secondary, will be facing new curriculum guidelines in every subject area in the next few months. Every secondary subject area is being rewritten this school year. Not only will there be new curriculum, but the overall reform of secondary education will require much more professional development. We are still waiting to see what details will be unfolded.

One of the casualties of this removal of money from education over the past few years has been the resource staff, those people who assist teachers with managing change, with the implementation of new guidelines.

In spite of what's been said, the new language and mathematics expectations are not classroom-ready. They outline, vaguely in some cases, what knowledge and skills need to be taught. The implementation, the strategies, the methodology are left up to the teachers and the boards of education. We've seen that the Ministry of Education is not equipped to look after professional training. This is left up to local boards and teachers.

In Waterloo, I have watched the downsizing of the resource staff; I have been part of that downsizing. Our board has produced some of the best curriculum documents in the province and has won awards for them. Hundreds and hundreds of teachers would attend workshops and in-services every year. We had the personnel to assist teachers in dealing with special needs of students. With integrated classes, teachers are facing greater challenges in meeting the needs of students. Downsizing has meant an end to these workshops and in-school consultations.

Next week teachers will be receiving the report of the grade 3 tests in writing, reading and mathematics. This report will have many recommendations for implementation by teachers, another need for professional development. The government is placing an increased number of demands on the classroom teacher, not providing the resources to deal with them.

If we're serious about improving the quality of education, you do not remove the quality control personnel and the time for professional development.

Along with new curriculum guidelines, teachers are adapting to new report cards. Information has been slow in reaching the teachers about that and yet they are expected to be implemented this year. Once more, contrary to government advertising, these reports are not clear and will present a fair degree of confusion for parents this year as to what the various levels of achievement actually mean.

I would add that associations dealing with English and literacy have been disappointed that some aspects of the previous Common Curriculum have been made less rigorous. The sections dealing with media literacy have been watered down greatly, seemingly to appease the government's business friends. This is one part that is not rigorous.

The English Language Arts Network agrees that "the status quo is not an option," as in yesterday's ad in the paper. We are a group that is interested in quality and excellence. Our members want to help teachers to help students achieve their potential. We are committed to quality curriculum and quality results. Bill 160 will do nothing to enhance that.

My final area is as a citizen, one who believes in democracy, and that's where I think this bill erodes the local, individual effect. Whether it's fewer trustees or fewer MPPs, people have less direct say in what happens in Ontario.

This last weekend at the Conservative conference, Paul Rhodes, a former senior adviser with this government you'd be aware of, gave a workshop on messaging — as was very evident in the Premier's speech last night — around the educational changes. He said that whatever it is, the motive should always come back to improving education for students. He added then that these changes are also about control, "but we aren't going to talk about that."

This committee has heard, through other submissions, concerns about the way this bill centralizes control of education in the hands of a few cabinet ministers.

In my years of experience, dating back to when my father was a trustee with a small township school board 45 years ago, I have observed the way in which locally elected representatives have been able to respond to the local needs. As you have heard, working conditions are learning conditions. These are best addressed at the local level.

In Waterloo region this year we are losing the talents and services of several long-time, hardworking trustees who really have made a difference in education. Like teachers, they have been bashed by this government's rhetoric. They have been told by the Premier that they cannot be trusted to handle educational change. Most are not well compensated now for the number of hours they spend in service.

This legislation and other bills have reduced the role of the local trustee to almost nothing. They are not seeking re-election because they do not see a meaningful role left for them. Local voters are losing as more and more decision-making is centralized at Queen's Park. One of

the main reasons I'll be holding my picket sign high Monday morning is that I can no longer stand by and watch democracy be eroded by this government. Thank you.

The Chair: Thank you, Mr Ernest. You have 40 seconds, Mr Lessard.

Mr Lessard: Thank you for your presentation. I was somewhat curious how you ended up at the policy conference. However, I'm not going to ask you about that.

I do appreciate your comments about the erosion of democracy, however, and the fact that this has been a disappointing experience for you to see. But I'm happy that you haven't given up. It's unfortunate that you're going to be ending up on the picket lines on Monday. I wonder if you felt you're "being led or misled by your union leadership," in the words of the Premier, to do that on Monday.

Mr Ernest: Not at all. The people I have talked to, my colleagues, are determined that this bill is something they will not tolerate. It's not the federation leaders. We're all federation leaders and we're all participating. We're all making our individual choices.

Applause.

The Chair: Excuse me, ladies and gentlemen. I'll have to call a recess and possibly hurt one of the presenters down the road if you continue to demonstrate. It's not permitted.

Mr Carroll: Thank you, Mr Ernest. You go to great length to talk about the erosion of democracy. I understand the accepted practice in the trade union movement is for people to have a secret ballot, the right to vote on whether or not they want to go on strike. Have the teachers of the province had the opportunity to express their opinions through a secret ballot as to whether or not they want to participate in an illegal strike?

Mr Ernest: We have participated in the secret ballot of the ballot box through elections. We have not participated on this particular one.

Mr Carroll: But that's democracy, in your opinion.

Mr Ernest: The demonstration will be on Monday as to who is for and against.

Mrs McLeod: Thank you, Mr Ernest. It's appalling, but not surprising, that the Conservative message would not acknowledge that this bill is about control. Parts that could be taken out to give a cooling-off period that would prevent you having to leave your classroom on Monday are the parts that give the government control to cut the \$667 million by cutting teachers. Clearly your brief says that will not improve the quality of education. I regret that the government's refusal to acknowledge that, to talk about it and to negotiate it, is putting you in the position, with your experience, that you feel you have to take the action that you're forced to take Monday. Thank you for being here.

The Chair: Thank you very much, Mr Ernest, for your presentation to the committee.

PEEL BOARD OF EDUCATION

The Chair: Our next presentation is the Peel Board of Education, Harold Brathwaite. Good morning. This is the Peel Board of Education?

Mrs Beryl Ford: It is, but we aren't Harold Brathwaite.

The Chair: Yes, that's obvious even to me. I would ask you to introduce yourselves for the purpose of Hansard and then proceed.

Mrs Ford: My name is Beryl Ford and I'm the chair of the Peel Board of Education. I'm joined today by my colleague Janet McDougald, who's the vice-chair of the Peel Board of Education.

Good morning. I appreciate the opportunity to present to you this morning on behalf of the Peel Board Of Education. We're here today to offer our help in building a stronger education system for Ontario students. We're not here to say we oppose Bill 160 or to speak against the government.

Bill 160 will have a long-lasting effect on the future of every student now in or about to enter Ontario's public schools. We want to share from our point of view as the largest public school board in Canada what we see as positive, constructive and helpful ways we can continue to improve education.

Before I present our ideas, however, I do want to speak positively about the current quality of education in our schools. I recognize that it's easier to get headlines by pandering to the doom and gloom about schools, but the Peel Board of Education will not participate in the continuation of this myth. There's always room for improvement and we're constantly working on excellence in education, but we don't improve education by constantly criticizing schools and school boards and we certainly don't make constructive progress by dragging the reputation of Ontario's teachers through the mud.

1040

As chair of the Peel Board of Education, I am tremendously proud of the everyday miracles performed by our staff in our schools supporting the needs of Peel students. Rather than highlight our achievements — and there are many — I have enclosed as part of our package a fact sheet about Peel students, about education quality and attitudes.

The beginning of a constructive dialogue of helpful partnership is a common understanding of where education is going. Without a plan, everything else is window dressing. Bill 160 is an example. It contains 262 pages of amendments to the Education Act and related statutes, but where do the changes take us? They are only a small piece of a large puzzle.

Education achievement is complex and interrelated, so issues like class size and school year can't be seen in isolation; they must be part of a comprehensive school improvement plan.

Class size, for example: The government has said boards and unions have allowed class sizes to skyrocket. However, the truth in Peel is that the average secondary class size has increased only slightly, from 22.4 in 1988 to

23.2 in 1997. The average class size in elementary has actually dropped, from 27.2 to 24.6, in the last decade.

How does a plan to cap class size fit into a downsized education system? Where is the money? We don't need individual quick-fix ideas. We need to look at what works in student improvement and what the characteristics of high-performing schools are and see how we can incorporate those proven and powerful measures into public schools. It's not a quick or easy process, but it brings about results for students. Changes to school structure should be built around a solid plan for education quality improvement, a comprehensive plan involving school boards.

Secondary school reform: Much of the public attention has focused on the secondary school issues in Bill 160; prep time, for example. Why is the government attempting to change secondary school staff before we know the vision for secondary schools? Over 28,000 people gave input on secondary school reform. They expressed concerns about inadequate funding and too little time to make the necessary changes, yet now, a year away from introduction of our new secondary schools, we see changes to how our secondary schools will operate. We cannot consider these changes unless we know the plan.

Our proposal: Remove elements of Bill 160 related to secondary school reform until a panel of teachers, school boards and government members reviews the implications of secondary school reform.

A plan for finance: There is no doubt that a major problem in the foundation of education reform, from our point of view, is the lack of a funding formula. We were first promised that formula last spring, then summer, then fall; now we are hearing next year. The bottom line for the Peel Board of Education is that not a single section of Bill 160 can go forward without a clear funding formula. The formula must be both sufficient and equitable. We must have shared excellence, and that comes from sufficient funding.

Funding must be sufficient to meet minimum local needs and serve local program priorities. We don't have a "one size fits all" education system, as we all know. Communities develop specific programs to respond to specific local needs. How can those needs be met? One way, we would suggest, is to continue, as suggested in the Crombie report, the traditional ability of school boards to raise funds through local taxes — perhaps even 5% could be determined locally — with the input of parents and taxpayers, to meet specific local needs of the community. In Peel, 84% of our school councils said they're concerned about the loss of control. This right, the right of those paying taxes to directly help determine how that money is spent, shouldn't be compromised.

In our community, there is a grave concern about the centralization of power over education that Bill 160 represents. Parents, educators and Peel residents don't want all the decisions about education to be made at Queen's Park. We recognize the need for the ministry to set overall policy direction and curriculum guidelines, but we contend that decisions about how to best meet the

individual needs of students are best made by the people closest to those children.

Our proposal: Don't take action until the funding formula is public. Guarantee a funding formula that is equitable and sufficient. Maintain the ability of boards and communities to meet local education needs. Respect the rights of locally elected officials by continuing the 154-year ability of school boards to collect at least a small portion of local taxes to meet those local needs.

Early childhood education: It is important for us to know the plans for early childhood education. What is the future of junior kindergarten? The Peel board, for example, was regrettably forced to cancel JK for 6,600 students when the government cut our funding for the \$15.4-million program by 73%. Is it the government's plan to reintroduce JK? If so, we have heard that to do so would cost about \$100 million for the boards who are not currently offering JK. Will the government increase funding by that \$100 million, or will the money be taken from other students in Ontario? Is there a new model that could lower the cost of this program? We need answers to these questions.

Our proposal: Produce a model for JK that allows boards to offer early education, but not at the cost of other students. We cannot afford more cuts. In the absence of a plan, we are left with speculation, and speculation continues that this bill is not about quality. Much of Bill 160 seems to be about cutting costs, prep time, use of non-certified teachers etc, yet there is no statement that savings would be reinvested into enhancing quality education for students. Is the goal to take another \$700 million from public education? If so, the Peel Board of Education believes any further significant reduction would cause irreparable harm to the quality of education for our students. A cut of that magnitude wouldn't just be difficult to deal with, it would be devastating for students.

In our local situation, for example, a provincial cut of from \$700 million to \$1 billion could mean another \$50 million lost to Peel public schools. That would be on top of the \$37 million we have lost in ministry grants since 1990. That averages out to about \$500 lost to every student in Peel, money now spent to teach students and provide supplies, equipment and maintain our schools. This cannot be allowed to happen. Local trustees are extremely worried about the impact on our students.

Our proposal: Before passing Bill 160, guarantee that the government won't remove further funds from public education and will reinvest savings back into the schools. We make this request on behalf of all students in the province of Ontario.

Thank you, sir, and I appreciate once again the opportunity to be here.

The Chair: We certainly appreciate hearing from you. We have about 40 seconds left. Is there anything you wish to add to your excellent presentation?

Mrs Ford: I think the fact that my colleague and I have driven over three hours this morning be here to make this 10-minute presentation tells you that we really feel it's so important to maintain the funding at the school level for our students. We're extremely concerned about

the fact that we've had no formula for our funding. It is extremely difficult to plan without the funding formula, so we would urge you.

I brought 25 copies of our presentation with me. They've already been handed out, so you may have noticed I skipped a couple of paragraphs simply because of the time, but I hope you will take a moment when you have some time to review what we've brought down and I hope you will accept our proposal positively.

The Chair: I thank you both. I know how early you got up this morning to make it here.

Mrs Ford: Six o'clock.

The Chair: Thank you very much for your attendance and your presentation.

1050

COALITION OF LAMBTON-KENT STUDENTS

The Chair: At the request of Mr Carroll and Ms McLeod that we permit the students to be heard, there is 10 minutes; that will take us over into our lunch-hour, but is there any objection to me calling the students now for 10 minutes? If not, please come up and make yourselves comfortable at the microphones. I know this is an unexpected pleasure for you this morning, but I'd ask you to proceed, because our 10 minutes start right now.

Ms Sarah Nelson: Thank you, Mr Chairman, for giving us this opportunity. We appreciate your hearing the voice of the students, because we feel it is important, in these major decisions being made with our education system, that our opinions and views are taken into consideration. Throughout the whole process of getting Bill 160 to the point where it is now, we have felt that the students have been neglected. Obviously the bill is to improve the quality of education for students, but they haven't been involved at all in the process and we feel that was a major problem.

The students of Lambton-Kent decided to get involved and inform ourselves on the changes that were being made and how they were going to affect us. We formed a coalition of Lambton-Kent students and I, Sarah Nelson, am the chairperson of that. We discussed different issues that we thought would affect the quality of our education in Ontario, and we managed to contact our local MPP and talk to him.

There is a lot of concern we had concerning the fact that Ontario students didn't measure up. The testing and the way that information was gathered, it seems to us, was very unfair. In Ontario, all the students were tested, whereas in other provinces where the scores were higher, only selected students were tested. Therefore, that may account for some of the difference in results.

We also had issues concerning class size. That was one of my major concerns, as well as of the rest of the students here with us today. We feel the increase of class size will undoubtedly decrease the quality of our education. The lack of time for personal interaction with teachers which will result from an increased class size will lessen the

quality of my education as well as everybody else's in Ontario.

We also looked at the financial issues concerning this bill. We were told that the main purpose of this bill was to encourage equitable spending for all students in Ontario. As a student coming from Kent county, I feel that I'm going to be penalized for coming from a frugal board that's 12th on the spending list, as opposed to a student in Toronto, which has not been as frugal in their spending. Therefore, there is going to be more cuts from my education than that of a student in Toronto and I feel that's very unfair for students in our board and Lambton-Kent as well. We want to know how the government is going to rectify that and assure me the quality of my education won't be decreased as opposed to being increased.

We also looked at the teacher prep time. We didn't want to take a stand just saying we're completely supporting the teachers or we're completely supporting what the government is doing. We're out to support the best interests of the students. That was our goal: to make sure that we were being taken into account and our best interests were being kept as the main focus. With the decrease of prep time, it was said earlier that the teachers are only going to be seeing more students a day. The quality of the time that's being spent is more important than the quantity of time that's being spent with the students. It's imperative that students have the ability to talk to teachers and have interaction with them and have that one-to-one relationship which will help them improve their education.

Chris, you have some other comments.

Mr Chris Boyes: Yes. Spending on Ontario's students ranked 49th per pupil, which has gone down drastically since 1992, I believe.

The Education Improvement Commission, what they said were their solutions: extend the school year by three weeks; reduce the number of staff professional development days to five; reduce prep time by 25%; and reduce the number of secondary school departments: no longer organize them by subject, review qualifications and duties of department heads and give a full teaching load.

The big issue here is that what you guys have been advertising, really, is that the students come first. What we want to know is, why aren't you listening?

We don't want teachers to lose prep time. What is very critical in a classroom situation is the one-on-one confrontation with students to help. Some students are weaker; some students are stronger. Some don't need the teacher involvement, but some do. That's what they depend on. With increasing class size, teachers are going to be so busy with watching over and being responsible for 40 people, when you don't have 40 people who have a halo over their head being properly nice. An increase in class size is a big concern. I attend John McGregor Secondary School and we have about enough room in our class for maybe 23 people. I don't know if new buildings are going to be built or what.

A \$1-billion cut: How much education can you get if you cut \$1 billion? You have your needs, and if we're losing \$1 billion, then I don't see an improvement at all.

We do agree that a more advanced curriculum should be introduced. What needs to be done is for the teacher associations and students as well — don't forget the students — to sit down with the government and discuss a new way of introducing the bill. One of the solutions that I thought up was starting at grade 1. You can't have a grade 4 student who is learning what they are now and then all of a sudden, bang, put them into the next year where they are expected to do so much more. You need to slowly introduce it. Better solutions need to be made.

We agree that we need a better curriculum for the understanding of various subjects, but the ways that are introduced are not the way to do it. Teachers need the prep time that goes for marking. Teachers will be pretty much marking assignments in class while we do our work. They will hand us a textbook and say, "Read pages 1 to 100 by tomorrow," and they will mark the test from the previous day.

The big question is, if the students come first and the students don't want the bill to pass, if what you say is true, that the students do come first, then it's obvious what the best solution should be if you do listen to the students.

That's about it, because we do want to allow a lot of questions. We want the questions to be heard.

The Chair: First, could you identify yourself.

Mr Boyes: Yes. My name is Chris Boyes and I'm the student council president at John McGregor Secondary School.

The Chair: We have a couple of minutes left. Is there anyone else who would like to speak?

Ms Nelson: Can I ask something, please? I would just like to know where all this money is being cut from. Where is it going to go to? Is it going to be reinvested in the students to make our education better or does it go somewhere else? I've heard a lot of things, "This much money is being cut." What's the plan? Where is it going? That was something that was very vague and not really conveyed to anybody. That's one of the major concerns we have.

The Chair: That's a good question, but unfortunately it's not the jurisdiction of this committee to sit here and answer questions. We're here to hear from individuals.

Mrs McLeod: It is the jurisdiction of this committee, though, to request answers from the Ministry of Education to questions that are posed. I would ask the parliamentary assistant to ask the ministry to provide a written answer to the question that the students have asked.

The Chair: That's quite correct.

Mr Boyes: Can we ask questions?

The Chair: No. There's really no time for questions, unfortunately. Mrs McLeod merely pointed out, quite rightly, that if she asks the question of the PA, she can expect an answer. I was pointing out that the public can't; that's the way it works.

Mrs McLeod: Does my question to the parliamentary assistant then stand?

The Chair: You've asked the question and I assume he will attempt to answer it.

Mrs McLeod: May I just determine whether or not we do have names and addresses for the students so the response can be given directly to them?

The Chair: Perhaps we could put that on the record right now. We could use the next 30 seconds for each of you to put your name and address on the record so that we know who addressed us.

Mr Boyes: Name and address: Chris Boyes, 62 Cross Street, Chatham, Ontario.

Ms Nelson: Sarah Nelson, 72 London Drive, Chatham, Ontario.

The Chair: If we write an answer to those two addresses, will everyone get the answer? Good. I certainly thank you very much for making your presentation here today on very short notice.

1100

ROBERT SKIPPER

The Chair: Our next presentation is Robert Skipper. Welcome.

Mr Robert Skipper: Thank you, Mr Chairman, and ladies and gentlemen. I am here on my own behalf, representing no one. I am here as a citizen, a grandparent, a parent and of course a taxpayer. Everything I say from now on will be in print, and you will get a copy of this immediately after I have presented what I wish to put before you.

I am concerned about what may happen if our government is forced to back down in its efforts of education quality improvement. It has already relieved its Minister of Education of his role and appointed a new minister.

I am quite sure the teachers' unions can, and may, close down schools as they did in Metro Toronto in 1976, with a prolonged strike followed by work to rule and other nonsense. Today's confrontations with illegal strikes as they occur could result in anarchy, for if one sector of our society can bring a government to its knees, so can any organized group.

Back in those days in 1976 when thousands of teachers went on strike, I was a vice-principal in one of Etobicoke's very fine collegiates. To put my background in perspective, I will tell you that I have been involved in education for well over 30 years. I was a high school teacher of various subjects. I was a department head in three different subject areas with three different boards.

I was a vice-principal and a principal in several schools. I was a superintendent of education, and the jurisdiction had over 160 schools. I was an elected trustee on the Peel Board of Education for five terms. I am past president of the Ontario Secondary School Teachers' Federation, better known as the OSSTF. I am also a past president of the STO, Superannuated Teachers of Ontario.

I hope that background will give me some credibility in what I have to say, and that is why I cite it.

I would have liked to have had the opportunity to speak on many aspects of Bill 160, but because of time constraints I shall confine my remarks to three areas which appear to be of great concern and which are much in the news. It should not be construed from what I say that I

endorse every aspect of Bill 160. Its brief goes to 262 pages.

The first of the three I will deal with is with regard to preparation time. I taught in various schools for many years, from eight to 10 periods per day in varied subject matters of chemistry, zoology, botany, general science, sometimes English and sometimes industrial arts, but I never had one single spare or preparation period in all those different schools in my years of teaching. You may ask when I prepared my lessons. I was a knowledgeable teacher, and I prepared my lessons after school, which ended at 4 pm approximately. I prepared them evenings, weekends, during my summers, Christmas break, Easter break, March break and statutory holidays.

I'm very disappointed that the teachers' unions, I guess, are calling a strike.

Anyway, I found time to prepare lessons in every subject I taught. It was a lot of hard work, but that's what they were paying me for. I thoroughly enjoyed being a teacher and was a proud one.

I do not quarrel with the government's attempt to cut preparation time by one half. Why not three quarters? Or why not cut it out altogether? However, in certain circumstances, I could see a period a day of free time, prep time or whatever you want to call it.

The second point I want to make is on teaching time. I was privileged to spend months studying educational systems in Europe — in Switzerland, Germany, Holland and elsewhere. With something like 170 teaching days in Ontario, one does not have to be a rocket scientist to realize that we may be shortchanging our taxpayers, our parents and our students. So few teaching days, and sometimes an undisciplined approach to what is going on in the classroom is my concern.

The third thing I want to deal with is PD days. With regard to these days, I view them somewhat as I view preparation time. It would appear that if any group of people has adequate time for professional development, it would be the teaching profession.

The Chair: Mr Skipper, I should remind you there's only one minute left.

Mr Skipper: I have often quoted the following statement since I became concerned about PD days:

"In my view PD days constitute a fraud perpetrated on a pathetic and long-suffering public, and what is more, they are an especially despicable form of unwarranted welfarism in that they benefit only a secure and affluent group in our middle class."

Thank you very much, ladies and gentlemen, for giving me this opportunity.

The Chair: We appreciate your attendance here this morning. Thank you, Mr Skipper.

1110

WINDSOR-ESSEX PUBLIC SERVICE COALITION

The Chair: Our next presentation scheduled is Windsor-Essex Public Service Coalition, Mr Scott Hunt. Welcome.

Mr Scott Hunt: Good evening, ladies and gentlemen. The Windsor-Essex Public Service Coalition represents 22,000 women and men providing public services in Windsor and Essex county. They include members of the five teacher affiliates, as well as members of OPSEU, CUPE, the Service Employees International Union and the faculty association at the University of Windsor. I want to thank you for the opportunity to speak to Bill 160.

However, I do find it offensive to be told that this is a bill to improve the quality of education in Ontario. Quality to me means more teachers teaching fewer students in excellent facilities with more time to prepare, to offer remedial help, and more money to buy books, supplies and computers. The opposite will happen under Bill 160. Quality will be reduced.

The premise of this bill is that the government can improve the quality of education by taking absolute control. To me, this is one of the major contradictions in the Common Sense Revolution, the fact that the Premier said they wanted less government and this bill is going to create more government. Ironically, you've jeopardized the quality of education through the cuts you've already made up to this point.

At 262 pages, Bill 160 is too large to deal with all the issues in this short amount of time. It's my intention to deal with those issues that I believe will have the most impact on my classroom, because I am a classroom teacher.

This bill proposes in section 170 to allow the government to set class sizes and preparation time. Currently, these are issues for local negotiating and local bargaining. Class size is a major issue and I ask you, why would teachers negotiate larger class sizes? The social contract and the further \$533-million cuts by this government created larger class sizes.

In connection with that, I ran across an article in the Toronto Star on September 27 in which Mr David Tsubouchi was meeting with the friends of government, the business community. This government likes to run around and talk about the fact that it is in favour of smaller class sizes. This is what the business community had to say. This is a quote from the Toronto Star:

"The best thing to happen to my business," and this is a business person, "is what the government has been doing lately cutting back education funding and increasing class sizes."

So who is kidding whom?

On the issue of preparation time, I can only speak from my own experience. I spend that time doing a lot of work on my lesson plans. Offering extra help to students who can't stay after school is also an important activity. Increasingly, I'm also involved in fund-raising activities. Preparing and organizing materials for my class is also a key function of this time. I do all my marking at night at home. I can honestly say that there are very few nights in my 32 years of teaching that I have not done a lot of work at home and on the weekends. With another 30 students to teach and less time to prepare, how can that improve the quality I so dearly want to achieve?

Also, I am concerned about the loss of teachers' jobs. I thought this government was concerned about youth unemployment. As well, the loss of younger staff will certainly affect extracurricular activities in my school.

Incidentally, on a personal note, my son is a teacher in Toronto. He is in his second year of teaching and he's going to be forced by this government on to the streets on Monday. He has a young family and he doesn't have a lot of resources, obviously, living in a city the size of Toronto and the standard of living he has to live to. He is very concerned.

The basic question here is, if you have fewer teachers teaching more classes, how does this improve the quality of education? How does it improve the quality of contact time I have with my students?

The regulations will allow for differentiated staffing. I'm concerned for two reasons. First, I rely on teachers being in the guidance office because they have been classroom teachers and can be much more effective in dealing with student problems. Secondly, how far will the minister go in deciding which classrooms will not have teachers? Surely you have to know something about how to teach, whether the subject is art, music, physical education or library.

Under Bill 160 the minister may make regulations covering exam days. My concern with the potential loss of exam days is the possibility of students not being able to prepare properly for their exams if they have to write more exams in fewer days. I don't see how that improves quality.

I would be remiss if I did not comment on the section dealing with the loss of local control of taxation. I believe that communities should be free to raise money locally to improve their own schools. How could one person in Toronto know what local needs should be addressed?

I'd like to conclude with two comments. I'd like to read a letter from Steven Katz of Mississauga because I really believe it sums up a lot of my feelings:

"Hey everybody, I've got a great idea. Let's tell teachers how lazy and overpaid they are and what outrageous vacations they have.

"Let's make their classes really big with all different levels of students with many different kinds of problems. Let's take away their planning time.

"Let's increase the length of the school year and make almost everything in their contracts non-negotiable. Let's take all control of the teaching profession out of the hands of teachers since they are incompetent.

"Let's make sure that teachers are really stressed and have really low morale, and when we've finally convinced everyone how useless teachers are, let's send them our children to teach and take care of."

To sum up, it's time to put education back into the hands of teachers, who don't have an axe to grind or a political agenda to sell.

The Chair: Thank you very much, Mr Hunt. We have one minute per caucus. The government caucus is first.

Mr Bruce Smith (Middlesex): Thank you for your presentation this morning. We've heard a great deal of

input with respect to differentiated staffing or complementary staffing, whatever you want to call it. Quite frankly, we all know that teachers regularly supplement their classrooms with outside help. The Royal Commission on Learning has made such recommendations, the Education Improvement Commission has made recommendations on differentiated staffing, albeit they premise their recommendations on certain issues. Can both groups be wrong?

Mr Hunt: In my opinion the problem here is that if we were to sit down or if the parties were to sit down and discuss it, then maybe there is some common ground. My concern is the absolute power that's going to be in the hands of the Minister of Education in terms of deciding what makes a teacher. Certainly the College of Teachers said it is not interested in differentiated staffing because it sees it as a problem in maintaining the standards of the profession. I don't think the recommendations of either of those two committees had anything to do with what Bill 160 is trying to do, and that is to put absolute control of education in the hands of the minister and not in the hands of the people who should have a say, and that is the teacher federations and the College of Teachers.

Mrs McLeod: I think that if the government was prepared to set aside its need to take that absolute control in those particular areas you would not be facing what you're facing as a teacher on Monday morning.

What we're facing at this point in time is absolutely unprecedented. There are some 126,000 teachers across elementary and secondary school spectrums — public, Catholic, French — all united in their belief that action is needed, prepared to take action in spite of tremendous personal sacrifice, and a risk, based on last night's comments from the minister, that nobody can even begin to guess at. I just want you to tell me a little bit more about what has brought teachers to this point.

Mr Hunt: It is difficult. I am a classroom teacher. I was in my classroom yesterday. I look at my students and I know how they're feeling, I know the pain they must be thinking about. Every student probably wants a day or two off, but when you talk to students in the halls after school, they certainly don't want this to happen for very long. I look at the students and I know that what I'm about to do on Monday is going to be painful for everybody. It is difficult and I can tell you that 126,000 teachers have done a lot of soul-searching in coming to that conclusion. We certainly did not do this out of any kind of interest in ourselves or interest in our union heads. This is classroom teachers deciding we have to take a stand.

Mr Lessard: Thank you for your presentation, Mr Hunt. I think you've correctly identified that Bill 160 really has nothing to do with improving the quality of education. It's all about centralizing control within the ministry and about taking out \$667 million from the education system. It has really, in your words, caused teachers to do a lot of soul-searching in order to take the action they're going to be forced to take on Monday morning. I wondered if there are any suggestions you can offer in the time you have available to the government

members who are here today to try and avoid this impending catastrophe.

Mr Hunt: I wish they would listen. In terms of this whole process the only thing that can happen between now and Monday, from my perspective, is if the government takes those sections out of the bill that remove local control. There's just no other way of solving this problem, because even if you put it off, it doesn't change what this bill intends to do to us. We can never accept those changes. The only thing they can do is remove those sections of the bill that remove local control.

The Chair: Thank you very much, Mr Hunt, for your presentation here today.

1120

UNITED STUDENT LEADERS

The Chair: Next, lady and gentlemen of the committee, we're going to try something different in a presentation by the United Student Leaders. Each of them is going to address us. I would just ask you to identify yourselves clearly so it goes on the record, because Hansard writes down everything we say and our names. Please proceed.

Mr Keegan Boyd: Are our names really important? We are representing the students of all our schools and I don't think it would be right just to put our names on to our opinions.

The Chair: Yes, they are really important because everything is taken down and transcribed into books called Hansard and it's an accurate record of what a particular person said. So it's important that the person be known to Hansard.

Mr Boyd: Okay, thank you. My name is Keegan Boyd.

Mrs McLeod: Mr Chairman, I want to determine that this is not part of the 10-minute slot these students have.

The Chair: No, I'm going to start timing them right now.

Mrs McLeod: Mr Chairman, I would ask that the students be allowed to put their names for identification purposes in writing, since there are a large number of them, and provide that to the Hansard recorder, who can work with that. I just think it will take them 10 minutes and they'll have nothing left to say.

The Chair: We don't want to waste the time. That's an excellent suggestion. You'll give us a list in the correct order. Please proceed.

Mr Boyd: The group you see before you is a number of student representatives from London and area high schools. We are here today to address several issues about Bill 160 and the teachers' reaction to it, which has caused students a lot of concern.

The idea that teachers and the government cannot sit down and come to an agreement which is in the best interests of improving the quality of education in Ontario seems ridiculous to us. We do not feel the effects of actions made by the teachers and by the government have really been considered. Students are the ones who will be

affected when the teachers go out on strike. Students are the ones who will be affected by the implications of this bill. It is time everyone takes the approach that should have been taken from the beginning and focuses on improving the quality of education and sets aside their own agendas.

Ms Angela Waterfield: At present the education system seems to be in a state of chaos. The tension is extremely high between both parties involved, the teachers and the government. However, there is a third party involved, the students, who should be the essential key and should be the first party considered.

School is not just about academics, it's about the life lessons you learn. It's not just going to math class, science class. It's going there and learning real life. The people in front of you are the future. We are the light and the way. So talk to us, inform us. Let us express our opinions, because we can't lead blindly if we don't know the information. It's time to consider us.

Mr Jamie Bond: One major issue that concerns us is uncertified teachers in the classroom. One concern we have is having uncertified people dealing with students. When a substitute teacher does not get the respect he or she deserves, how do you expect students to respect an uncertified teacher?

Ms Jennifer Holderman: We feel a specialist may have expertise valuable to the classroom, but a qualified teacher should be present. We are very concerned about how educated these uncertified people will be. Are you, the government, paying less for our education and we, the students, receiving less? On this aspect it should be quality and not quantity. Consider us.

Mr Andrew Michailidis: Preparation time should be allotted by administration under the condition that the time is spent for school-related activity or responsibility. By the same token, there shouldn't be any hesitation on the teachers' part to prepare for lessons after school hours because their time off makes up for, if not exceeds, their preparation time. Finally, a 25% cut in prep time may result in the teachers inhibiting the extra attention a student may need. Furthermore, a lack of prep time could interfere with the teachers' interest in extracurricular activities.

Ms Adrienne MacDonald: Extracurricular activities are an asset to education. If teachers have less time available to run these events, this may ultimately result in work-to-rule action, where they would work from the morning bell to the end bell and that is it. This would then halt all extracurricular activities. On the other hand, if these teachers are forced to be involved with extracurricular activities, they may find themselves involved in an activity to which they are not suited and be therefore of little or no help to the activity. In order to get the most out of your education, it is beneficial to get involved outside the classroom as well. Students are the basis of education. Please consider us.

Mr Jeff Shaughnessy: One of the many proposals on the table right now is to lengthen the school year by three weeks. We understand that the three weeks will increase

learning time in the classroom, but is this really necessary? A great deal of class time is devoted to homework, when it could be used for instructional purposes. By extending the school year, how much time will this leave for summer school? Another concern is that the extra school time will cut into summer jobs, therefore not leaving enough weekly work hours to earn wages for post-secondary education. These are our direct concerns. Please consider us.

Mr Matt Davies: We would like to address the issue of class sizes. Through our years of high school, the number of students in our classes has grown larger and larger. We resent these changes, as the larger our classes get, the less time we have for individual attention from teachers. We respect the government's recommendation that a limit be put on the size of a class and that that size be maintained. But please be sure that this limit is, at the very least, no larger than it is now. Please understand that students are the heart of the classroom and the soul of the system. An increase in class size will directly affect us. Please consider us.

Ms Stefanie Kilbourne: It is hard for us to believe that you will be able to cut costs to education and maintain an appropriate class size limit. Perhaps if we were given a specific number and told how the number was decided on, our concerns regarding this issue would be relieved. However, as it stands, we feel that this recommendation is being slipped by us to make us think a limit will be set at a beneficial level, whereas the limit could be set at any number. As students, we should have been asked about our feelings on class size as we are the individuals who will be the most affected by these changes. Consider us.

Mr Chuck Smith: Consider this: As defined by Webster's dictionary, a democracy is a government of people, a government in which the supreme power is vested in the people and exercised by them directly rather than by their elected officials, meaning that the public is entitled to meet, discuss and negotiate matters involving law, the government and itself. As defined by Webster's dictionary, a dictatorship is absolute power and authority vested in only the will of one man, without effective constitutional limitations and requirements. Under Bill 160, it states that the government can make changes through order in council, meaning there will be no need for the government to discuss or negotiate with those it affects. Our question is, if a democracy allows discussion and negotiation, what are we and what does that make you? It's your choice. Please consider us.

1130

Mr Chris Sinal: As we know, teachers' unions have called for a province-wide illegal strike to begin on Monday. As students, this prospect concerns us greatly. If drawn out, strike action could result in the delaying of graduation, the mandatory attending of summer school and the resulting threat to summer employment. We are worried.

Of greater concern, however, is the fact that both parties in this matter serve as role models for us students. If these two groups cannot meet and work out their

differences, what are we to take away from this? We see neither side as completely to blame. Both are responsible for failing to resolve their difference, which has resulted in the impending threat to education.

We as students are thoroughly disappointed that neither side has considered the views of those affected, those at the heart of the debate and the education system. On Monday we will, as student council representatives and student representatives, attempt to attend school. If they are closed, so be it. In either event, neither side has considered us.

Mr Ryan Starkweather: This situation is like two divorcing parents fighting over their child and everybody is saying it is for the best interests of this child. Nobody bothers to ask the child, even though this child is the most directly affected by this conflict. We are not children. We deserve to have a say in what will change education forever. We all believe that student leaders, teachers and government can work together to create a better education system for Ontario's children. Consider us.

Ms Lindsay Lake: We are here today before you as students concerned for the future of our education and the education of those to follow us. We are truly sad that the leaders of our schools and the leaders of our province have let this situation come so far, with an illegal strike looming over all our heads. Both parties say they are fighting for us, yet we had to fight today to have our say. We are scared, scared for the future, because our voices are not being heard. Why not involve the students, we ask? After all, no one knows better what we need. Every decision you make directly affects us. It is time to consider us.

We thank you for the opportunity to speak today, but must leave now to return to our school because we care about our education. Please make sure you are fighting for the students and start involving us in the process.

Ms McLeod: I know there is no time for questions —

The Chair: Yes, there is no time for questions.

Mrs McLeod: So I was going to raise a point of order. Mr Chairman, I'll be brief, but I think the presentation we've just had — I don't think there's a single individual around this table who would not believe it was important to have heard from a group of 10 students who represent their broader student bodies on issues that affect them so dramatically and so immediately. But we have a process before us which has made it impossible for this group of 10 students to get anything more than a 10-minute slot.

I'm going to ask, Mr Chair, if it is in order, to have the parliamentary assistant present a report to the committee on how this process could be changed so that never again do we face a situation where 10 students get one minute each to speak to concerns on education.

Mr Bruce Smith: As I've indicated before, we as a committee have indicated we would respond to the student groups that have made presentations. I would be happy to respond back to the committee with respect to your concerns. I think it's something that needs to be considered into their future. We've had a lot of positive input. At the same time, I would certainly welcome some feedback from students. As the Education Improvement

Commission prepared its report, *The Road Ahead*, 17 different student groups across the province were consulted, as well as the provincial organizations. If that process isn't working in terms of reflecting the viewpoints of students in this province, we need to revisit that with the Education Improvement Commission as well.

Mr Carroll: Chairman, may I say something on that same point of order?

The Chair: Are we all speaking to the point of order? Yes.

Mr Carroll: Just as a quick comment. I realize they only had a minute each, but I've listened to an awful lot of long speeches in Parliament and on committees and I have to say that in the minute they each had, they presented an exceptionally clear, succinct message. I think they did a great job in a minute each.

Ms Waterfield: May I respond to that?

The Chair: Unfortunately not, because we do not have time. But I would like to thank you individually for a very good presentation. I also would like that list, because it is very important for Hansard and for history that you each be identified as making your presentation. Thank you.

Mrs McLeod: Mr Chair, again very briefly on the point of order, I want to make it clear that I'm not trying to put the parliamentary assistant on the spot with my request. This was not the process that was agreed to with Mr Smith at the subcommittee. It is a process that was imposed in this committee unilaterally by the minister, and we need to find some way to make sure we don't go through a process in the future where groups like this only have 10 minutes.

The Chair: Thank you, Ms McLeod.

GERARD CHARETTE

The Chair: I call Gerard Charette. Please proceed.

Mr Gerard Charette: Thank you. I thought it might be helpful for the committee to know a little about me before I start my submission. I'm a married parent of a 16-year-old daughter who recently graduated from grade 12 at St Thomas of Villanova high school in Essex county. She is spending the year in Belgium on an academic and cultural exchange, and this has been courtesy of a local service club. She expects to return to finish her OAC year in 1998.

I recently finished a 12-day volunteer project for the Ministry of Education. I have acted as co-chairman of the business studies panel that helped recently to develop the guidelines for the new curriculum. During that period, I spent about 12 days in Toronto on a volunteer basis, working with teachers and other people in the business sector, helping to develop the guidelines for our new curriculum studies program for high school in business studies.

I have recently been invited by a teacher at my daughter's school to teach a class on business ethics, as I am a practising business lawyer. I intend to tell the students at this high school about the role of business as a primary creator of wealth in our country.

I also have two brothers who teach in the separate school system, one in Oshawa and one in Windsor. I have a number of other brothers who have been involved in education. I should say that my parents founded the first Montessori school in Windsor about 30 or 35 years ago. Education has always been a hot topic in my house, and it's something I devote a significant amount of time to personally.

I consider myself a fiscal and social conservative, and I support this bill and what the government is doing.

Now to the substance of my submission. The reading I've done on the bill and some of the materials indicates to me that what the government proposes is merely to bring the province in line with what is accepted practice in the rest of Canada in terms of teaching time, time in the classroom, preparation time. All of these items which the bill seeks to address are nothing more than enhancing standards of practice, which will redound to the benefit of our children and hopefully to my daughter when she returns to complete her OAC studies.

I can perhaps do no better at this point in time than to quote a recent article from the *Globe and Mail*. Mr Jeffrey Simpson, who is a regular columnist in the *Globe and Mail*, I think says quite adequately what I would like the committee to hear. I'll just read a few extracts from that article, if I may. This was published in the *Globe and Mail* on Tuesday, October 21.

He asks the reader to remember the former Liberal Premier, David Peterson's, last election campaign: "His government had been more than generous to public sector employees during the province's squandered years of economic boom in the mid-1980s. For his generosity, Mr Peterson had teachers in his face throughout the campaign, manifesting their disapproval.

"Along came NDP Premier Bob Rae, followed by a vicious recession. When he tried to negotiate a 'social contract' with public sector unions, the big battalions of the teachers' unions were in his face too.

"Mr Rae, as has often been said, became disenchanted with aspects of the province's education system. As an intelligent, educated man himself, he found disquieting the slack curriculum, the lack of measurements and the middling outcomes produced by Ontario students.

1140

"Along comes the Harris government, with a sharp ideological sword. It wants to centralize control over the system for the reason that local school boards have proved unable to get better results from one of the world's most expensive systems."

The government lopped money off and it did nothing more than equalize cuts across the board. If there is one thing I would tell the committee members, and I've said this in submissions to other committees, we have always fallen into the mistake of equating spending and quality. We figure if we're going to spend a dollar, we're going to get a dollar's worth of quality. That is not true. In fact, it is a paradoxical truth that when we spend more money, we frequently get less quality. That has been proven across our society.

Jeffrey Simpson continues: "These proposals represent the second stage of a two-stage process designed to get better results...The second stage — to bring Ontario up to the level of other provinces — is an attempt to require more teaching and learning time. Bill 160 also proposes allowing qualified individuals" — perhaps even people like myself — "other than certified teachers into the classroom for certain disciplines.

"More teaching and learning time means elongating Ontario's too-short school year, rearranging those professional development days for teachers so that some are taken outside the academic year, and shortening teachers' preparation time to approximate what prevails in other provinces."

Jeffrey Simpson goes on to explain that this is nothing more than standardizing and enhancing standards in our system.

My own experience echoes what Mr Simpson says. I recently had the opportunity of defending the new curriculum at a meeting of teachers at Kennedy high school in Windsor, and I remember I had such a jarring experience. After the meeting, a lady from Belgium came over. She had moved over to Belgium with her high school students. She took me by the arm and told me: "Mr Charette, please do not stop what your government is doing. Keep on doing what you're doing."

I could see the lady was obviously distraught. She compared her system in Belgium with ours and she said the results are so much lower, the standards are so much lower, and she just literally begged me to make sure that this government does not stop what it is doing. I could see she was quite distressed.

Now I find my own daughter is in Belgium and — surprise, surprise — she's two years behind in math and science. She was a good student here, but the students in Belgium are far and away ahead of us. We can do better.

I would please urge this government to proceed with what it is doing. I would ask the opposition members to get on board with this quality train and make sure we improve quality standards for our students in Ontario. I wholly endorse the bill. I ask all of you for your support and I thank you for your patience. I'll be happy to answer any questions.

The Vice-Chair (Mr E.J. Douglas Rollins): We haven't got much time, but we have about 30 seconds per caucus, starting with the Liberals. That's total question and answer.

Mrs McLeod: I understand that. I'm not sure whether Mr Charette will be aware that Bill 160 does not speak to either curriculum changes or to increased standardization of either curriculum or testing, but it certainly does speak to the ability of government to cut \$667 million.

I gather by your statement that you think more money doesn't necessarily mean more quality and that lopping off dollars is the result of the government's sharp ideological sword, that you would think that taking another \$667 million out actually does act to improve quality.

Mr Charette: It's not taking money out of education; it's taking money out of education bureaucracies, and there is a big difference, Mrs McLeod — a big difference.

Mrs McLeod: In this case, it's out of teachers.

Mr Lessard: I take it from your comments that you don't have any concern about the erosion of local control or the ability of the minister to set things like class size or taxation assessment. This bill is filled with incredible regulation-making authority for the ministry and you don't have any concern with respect to that regulation-making power, even in light of the fact that we don't know what the funding formula is, for example? We don't know what the restrictions or regulations are with respect to differentiated staffing. You don't have any concerns about that?

Mr Charette: No, sir, I do not.

The Vice-Chair: Mr Lessard, you used up your time. I know it's a little bit hard to try to get those answers. Thirty seconds for Mr Froese, please.

Mr Froese: The bill talks about parental involvement and we all know parents want a greater voice in the education of their children. Could you just comment on what your feelings are on having more parental involvement?

Mr Charette: Absolutely. I've been in contact with some parent councils in Essex county and they want to be involved in their children's education. I think we have this mystique that only the "experts" know what they're doing and I think that is absolutely wrong. I think the drift toward getting parents involved is so important and so critical and I applaud the government for doing that.

The Vice-Chair: Thank you very much. The time has expired.

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
ESSEX ELEMENTARY AND
SECONDARY UNITS

The Vice-Chair: The next group we're calling to the microphone is OECTA, the Essex elementary and secondary units. For the purposes of Hansard, if you would identify yourselves. Your time has started.

Mr Rick Meloche: Good morning. My name is Rick Meloche. I am president of the Ontario English Catholic Teachers' Association, Essex secondary unit. With me this morning co-presenting will be Bernie Dupuis, the elementary unit president for the same organization.

You have my brief before you. I won't read it. I just want to point out a couple of sections that might be of interest, or at least are to me. On page 1, 1:07, some of our beliefs. The unit believes that the key partners in education, that is, the parents, the students especially, and the teachers should be heavily involved in the reform of educational policy, not only the government of the day.

1:08: The unit firmly believes in a democratic Ontario, which we once had. Legitimate government action requires the consent of the governed, which this does not.

On page 2, the summary of central points: "The unit strongly protests the centralized control of the education system. It greatly opposes the radical change in current labour practice, that is, the severe limitation to the scope of bargaining. We find the diminishment of professional

teacher qualifications and the introduction of non-qualified personnel into teaching positions to be educationally unsound. The fact is that all of the above is nothing more than a power grab being done in order to extract a further \$1 billion from the education system.

My next section is on public hearings. I don't believe that we are going to have much result coming from this. Unfortunately, you are probably not here to listen very carefully anyway.

The rest of my brief is broken down into several sections. The first section is called "permanent provisions." Those are the ones I feel clearly and the teachers of Ontario feel clearly must be removed from this bill immediately. You can read those at your leisure.

The next section is "transition provisions," provisions that I think can be workable and adaptable. They cannot be put in place specifically as the government has proposed at this point in time.

The next section is "provisions to be maintained." There are sections we think we can live with right now.

On page 6 is the conclusion. The unit sees Bill 160 drastically cutting funding of education, downsizing the teaching profession for no educationally sound reason and denying free collective bargaining for teachers in this province. How can placing persons without teaching certificates in teaching positions, losing up to 10,000 teachers by downsizing, reducing teachers' preparation time, lengthening the school day, eliminating statutory contracts and eliminating boards of reference and a number of other issues improve the quality of education?

Finally, last night our Premier, in a very well-scripted speech, spoke about issues like report cards, standardized testing, the quality of education. Does he think for a minute that quality of education is not first and foremost in our minds? He didn't touch upon the issues that are causing this dispute.

I was upset listening to him last night, and I am sure other teachers in Ontario were as well, when he insinuated very clearly that it is teacher leaders who are causing this walkout and not teachers across this province. I beg to differ. I have 250 members who would like to be here with me to tell you very clearly that they are going to show you on Monday morning exactly how they feel.

1150

Mr Bernie Dupuis: I am Bernie Dupuis, president of the Ontario English Catholic Teachers' Association, the Essex elementary unit. It is clear that the present government's plan for education mirrors exactly the destructive government plan in health care in the Windsor and Essex area. Because of that, we the teachers of Essex county will protect our students from this destruction of their learning environment as outlined in Bill 160. That vote will take place Monday morning; 412 of my members will be with me. As Rick said, they would like to be here; they can't be. We will show you that we will protect our kids' learning environment from your bill that will destroy their learning environment as it is now written.

Try to explain to our community, if you can, how a 1997 cut of \$667 million will not devastate the students'

learning environment. Bill 160 promises less time to work with our students, less time to work with our parents, fewer teachers to work with our parents and fewer teachers to work with our students. Prep time guarantees that time and staff will be available to serve our parents and our students.

How can you even suggest that the present teacher expertise we have in our classrooms has to be changed? Teachers understand how kids learn. They are trained in that, and there is no one else who can replace the qualified, certified teacher who is needed.

An earlier speaker was talking about when he started. I started 35 years ago. You can't tell me that things have not changed in 35 years. I was an excellent lesson preparer in 1963. I was not a very good person communicating with students and parents, because there was no time to do so. They were at the whim of my time when I was busy preparing my lessons at night with everything else. I now have ample time, because my parents are part of my classroom. They always will be. You're not going to take that away. We're going to defend that on Monday.

I'd just like you to remember your promise to us in 1995: The classroom will not be affected — yet less prep time for the benefit of my students. Who is my classroom? They are the classroom. The classroom is not walls and cement; it's the kids. Less time to meet the parents, who are also part of my classroom. They always will be. Less time for student needs, less qualified teachers in our classrooms. If your promise meant that in 1995, then you owe me a personal apology, and you owe my students, my parents and my community the same apology. I'm certainly ready for any questions that you may want to entertain.

The Vice-Chair: We have again about 30 seconds, and we start this time with the NDP.

Mr Lessard: I want to thank you for making your presentation. You mentioned public hearings. We heard earlier from students, probably the most important people who are involved in this debate, saying they really haven't felt as though they have had an opportunity to participate at all. I thank you for your comments about the opportunity to provide public hearings, because I don't think that students and others who are going to be directly impacted by Bill 160 have had adequate time to express their views.

Mr Carroll: I want to read a quick comment from the Toronto Star:

"Teachers are powerful role models; an illegal strike sends a dangerous message to their students that it is all right to break the law.

"The teachers say they must walk a picket line to defend our schools. It looks to us like they are out to defend their turf."

Can you comment on that?

Mr Meloche: In terms of the legality, we of course are calling it a political protest. If you are insinuating it is illegal, what I am insinuating to you and stating very clearly is that what you are doing is immoral.

Interruption.

The Vice-Chair: Sorry for the demonstration. Please.

Mrs McLeod: There are parts of Bill 160 that are there for one reason only. They are the parts that give the cabinet the power to cut teachers, and the reason they are there is to be able to let the government deliver on the \$667 million in cuts. Tell me where the morality is in that.

The Vice-Chair: Very quickly.

Mr Dupuis: I can't. There is no morality in that. You cannot expect a \$667-million cut not to affect the students and their learning environment.

The Vice-Chair: Thank you very much. The time has expired. I wish we had more, but the clock runs us.

JAMES HILLIER SCHOOL COUNCIL

The Vice-Chair: The next group is the James Hillier School Council.

Mr Phil Midgley: My name is Phil Midgley. I'm the parent of a five-year-old special-needs girl in a grade 1 classroom. I am representing the James Hillier School Council as the chair of that council.

I want to acknowledge as well the presence of our principal, Mr Al Nichols, to my right; Mr Chris McCall, our co-chair and parent representative; and Mrs Michelle Cohoon, our community representative on that council.

I want to thank the committee on behalf of the James Hillier school community in Brantford for the opportunity to present our concerns regarding Bill 160. Quite frankly, we have been frustrated in our attempts to get clarification regarding the details and implications of this bill.

As a council, our first efforts to seek clarification were directed to our Progressive Conservative member of provincial parliament, Mr Ron Johnson. On October 7, we wrote a letter outlining our questions and expressing our ideas. You have this letter before you. Our letter has remained unanswered. We submitted the letter to the local press in an effort to make our questions more public and to elicit a response from our MPP. To this date we have received no communication regarding our letter. As a school council, an advisory body mandated by the current government, we believe we have the right to be informed and to have our concerns addressed. As parents, we care about our children's future, and we are very concerned. It is this concern and the lack of detailed information that has brought us before this committee.

The James Hillier School Council supports the goals set out by the provincial government: increased accountability, high academic standards and increased efficiency. However, we do not see how the current legislation, Bill 160, will meet these goals.

We need clarification regarding the ramifications of Bill 160. How will the measures proposed in this legislation improve the opportunity for our children to learn? How will this legislation better meet the needs of all students in Ontario? Using the words of Mr Harris last night, how does this bill put our kids first?

Specifically, we wish to address the following issues: funding, staffing, the shift of power from the local government to the centralized provincial government, and the government's urgency to pass this bill.

It is difficult for us to understand how the government's apparent fiscal objectives are consistent with the goal of improving education. In addition to the millions of dollars already extracted from Ontario's education system, the Veronica Lacey document leaked by the NDP this week confirms the goal of achieving additional savings of some \$670 million. The victims of such cuts are already apparent. Junior kindergarten, a cornerstone of the most recent educational reform, has virtually disappeared from the province; so too has adult education been significantly reduced. How will class size be reduced? Tell us specifically how as a province we are going to do more and do better with less.

Speakers prior to me have addressed the issue of the new funding model and the lack of clarification about what funding model will be. We echo those concerns.

The issue of staffing is one we feel very strongly about. The comments made by the Premier last week stating that the education of our children can no longer be entrusted to the teachers and school boards are offensive to this council. We have tremendous respect and appreciation for the fine work done by the teachers, the administration and the support staff at James Hillier school. This school has met and continues to meet the challenge of providing a high-quality education for each of its students. So too has the Brant County Board of Education been responsive to our council's concerns.

How will the reduction of thousands of teaching positions in this province improve the opportunity for our students to learn? How does replacing professional educators with untrained staff improve education? We believe that quality comes from qualified and caring teachers. Extracting resources and expertise from the school system is not consistent with the goal of improvement.

One of the principles of the new reforms is accountability in evaluation and in instruction. We urge the government to apply the same principles to their administrative structures. Under Bill 160, the government of the day, more specifically the cabinet or the Minister of Education, will have absolute authority over all aspects of education. Under Bill 160, the EIC, originally a transitional body, has been granted a life in perpetuity. Reform in the future can be implemented through orders in council. There will be no meaningful public debate or input; legislation need not even see the floor of the House. There is no voice for parents, for teachers or for trustees.

The evolving role of the school council is unclear. How does this unlimited centralized power support the new accountability which Premier Harris referred to last night in his address? Is the legislation, Bill 160, about improvement in education or the absolute and arbitrary control of education? How does Bill 160 put our kids first?

Our council supports change that results in real improvement in education, change based on sound educational principles and research. We do not support change to serve a political agenda. Give us a real view of the future of education under Bill 160, not rhetoric.

1200

We applaud initiatives such as the Ontario curriculum, standardized testing and the provincial report card, but

these reforms, folks, are the product of collaboration between educators, the community and the government. These reforms are already under way. They do not fall under the proposed legislation. What is relevant is the process by which these initiatives were realized: collaboration with all parties involved, shared decision-making.

We urge the government to slow down the ratification of Bill 160. Find answers to our questions and share them with the public. The current controversy surrounding Bill 160 is an indication of the need to reflect upon this legislation. Engage in meaningful discussion with all groups affected by the bill: educators, parents, students and members of the community. Be open to suggestions and be responsive to concerns. Premier Harris stated last night that Ontario has some of the world's best teachers. We agree. Involve them in purposeful discourse. Only through such cooperation can we put Ontario's kids first. The Premier's stated last night, "This is the month.... Let's work together." We echo that sentiment.

It is only through real collaboration that Ontario's kids will continue to come first, as they always have. Thank you for the opportunity to present before you.

I would like at this point just to make one observation. One of the benefits for me was to see two groups of young people present before this committee. Folks, those are the product of this system. If they are any representation of what's out there, our system is not broken.

Interruption.

The Vice-Chair: Please. We have some rules and regulations. Demonstrations have not been permitted and will not be permitted.

Interruption.

The Vice-Chair: Excuse me. These are the rules of the room; it's not individuals' rules that rule here. We have wasted another part of the time. We will have less than a minute per caucus now, and we'll start with the government.

Mr Bruce Smith: I'll endeavour to inquire of my colleague Mr Johnson as to the nature of his response for you. In the absence of that, I'll respond to it by letter.

Certainly this legislation mandates advisory school councils. We have had a range of input in terms of removal of "advisory," different viewpoints in terms of actually mandating it. Where is your comfort level in terms of your roles and responsibilities as a school council?

Mr Midgley: I think the comfort level is going to vary greatly from one council to another and from one individual to another. We welcome, as parents, the opportunity to provide input, to voice our concerns. I certainly do not believe that we would be comfortable with any responsibility in terms of policymaking or the creation of curriculum. That I think is best left to the professionals.

Mrs McLeod: Thank you for your brief. I truly believe, particularly given the Premier's statements last night as you have noted and the concerns of parents today as they look at what may happen Monday, that the questions you have posed are ones which should receive

answers and that Bill 160 should be withdrawn until those answers are received. I'll be making that request on your behalf.

Just as a question, do you, with your emphasis on collaboration here, see any way that we can improve the quality of education when the government has made enemies of our teachers?

Mr Midgley: I think at this point we have to slow down. What I believe we're hearing and seeing in the media is a political battle, and the students are the victims. I encourage both parties to get together to look at what education reform should be about: the improvement of the classroom experience for the individual student.

Mr Lessard: You started out by saying the government's apparent fiscal objectives aren't consistent with the goal of improving education. You have identified that Bill 160 has nothing to do with improving quality and has everything to do with the centralization of power in Toronto to make decisions and to extract hundreds of millions of dollars from the education system. I suspect that you have some suspicions about where those savings are going to be found and the impact that's going to have on the quality of education. Do you have some ideas where they're going to find those savings?

Mr Midgley: I'm aware only of what I read in the media, and I understand it's to finance a tax cut.

The Vice-Chair: You have about 30 seconds if you want to finish up.

Mr Midgley: I'd like to echo the speakers before who have suggested that any savings realized through administrative cuts, through systems cuts, through board amalgamation be put back into the education system. We have waited and hoped to hear that commitment on behalf of the minister, and it has not been forthcoming.

The Vice-Chair: Thank you very much for the presentation.

Mrs McLeod: I have a motion. Again, I believe the previous brief has spoken to it, and I will not further speak to the motion. I'll simply place it.

I move that Bill 160 be withdrawn until the questions of the James Hillier School Council of Brantford about the substance of this bill in relationship to its stated purpose can be addressed.

The Vice-Chair: Do you want a recorded vote?

Mrs McLeod: A recorded vote, please.

Ayes

Hoy, Lessard, McLeod.

Nays

Boushy, Carroll, Froese, Smith.

The Vice-Chair: The motion is defeated. This justice committee stands adjourned until 1:30.

The committee recessed from 1207 to 1330.

The Chair: Good afternoon, ladies and gentlemen and members of the committee. This is a continuation of today's sittings and it's 1:30.

JON BRUNEAU

The Chair: Our first presentation is Mr Jon Bruneau. Welcome. Please make yourself comfortable and proceed. We have allocated 10 minutes for your presentation.

Mr Jon Bruneau: I first of all want to thank you for this opportunity. My name is Jon Bruneau and I'm a grade 12 student attending Walkerville Collegiate in Windsor. I'm here in support of Bill 160.

This bill ensures that quality education is a top priority. This bill extends the time teachers spend with students in the classroom, allows the government to set standards for class sizes and teacher preparation time and changes the education property tax base. Under this bill, school boards can no longer increase class sizes, which have clearly escalated in recent years. The setting of class sizes can no longer be a local responsibility since boards and unions have clearly abused this privilege.

Critics argue that class sizes should be determined as it is now, through negotiations between unions and school boards. However, determining class sizes through collective bargaining has massively increased the student-teacher ratio. Since when have class sizes been determined on collective bargaining? These are standards that have to be set. It sounds like it's more of a labour issue.

Apparently, a few years ago the teaching profession requested a raise in salary and benefits. In order to grant this, our board increased class sizes. It doesn't sound like they're putting students first. In the best interests of the students, collective bargaining should no longer be abused for financial gain on behalf of federations.

Just briefly, I have the class sizes for last year, 1996-97, and they range from nine students per teacher to the highest of 37. It doesn't sound too balanced. I would say the average would be around 25.

Second, bringing uncertified teachers into the classroom sounds frightening to some. However, in the areas of computer science, guidance, music and physical education the staff would be better qualified, just simply without a certificate. Guidance departments need experience in the business community to effectively suggest ideas to students. Otherwise, it seems that they'd be out of touch with the specific aspect to their job.

We all know that savings will occur in this area. Therefore, those savings can be redirected into implementing smaller class sizes. It would relieve those teachers so they could spend more one-on-one time directly with students.

I believe prep time is definitely necessary for teaching staff. However, it could be used more wisely and in an effective manner. The teachers I've talked to would sacrifice a shorter prep time in exchange for smaller class sizes. Please take that into consideration.

From my own experience, I've noticed some teachers put a great deal of time into a lesson. On the other hand, some teachers put very little time and effort into a lesson.

For example, and this happens very frequently in class, a teacher would give a lesson and instruct us to read pages 20 to 25 and do questions 1 through 10. I don't think a lot of effort and time was put into that and if they need that 70 minutes a day. Mind you, department heads have two 70-minute periods a day. I'm not too sure whether that would be necessary. It would be more beneficial for them to spend a portion of the prep time directly with students.

My cousin is one of the 87,000 in this province who attend a private school. I interviewed the program director last week. He indicated to me that their staff have no prep time and that their prep time is in the summer. Apparently, the student achievement is higher than the provincial average. How they achieve this is beyond me, but it's something to look at.

Also, with your support of this bill, the tax base would be shifted from a local level to a provincial level. This idea is not new. Seven other provinces have already done this. You must understand that in the last 10 years student enrolment increased by only 16% while school board spending increased by 80% and education property taxes went up by a whopping 120%. That's unacceptable. You would tend to think that student performance would increase, but unfortunately it hasn't. Massive funding does not necessarily improve student performance. Curriculum does.

Those who claim this bill is about money are clearly out of touch with the education system. This province spends more per student than elsewhere in the country and we're still getting a failing grade. Therefore, a quality education is determined by curriculum advancement.

Last, this bill is about fixing a system that doesn't work for students, teachers or parents. Who's standing up for the students? It's certainly not federations. Teaching must be brought back to a profession instead of a trade union, and I'm asking you to put your open arms in support of this bill because it's for the students, who are the future of this country. Thank you.

The Chair: Thank you, Mr Bruneau. We have a little over a minute per caucus.

Mr Bruce Smith: Thank you for your presentation. Some of the opponents of this bill who have appeared before the committee have suggested that increased contact between students and teachers really doesn't effectively affect the quality of their education. How would you respond to that?

Mr Bruneau: I would tend to disagree. Students, when they have difficulties in the system, need the one-on-one time with teachers and it most certainly is beneficial. Otherwise, how would you get the proper assistance if you're having difficulty on your own?

Mr Bruce Smith: One other item we've heard a great deal about is with respect to differentiated staffing. The former Minister of Education indicated, "One place where I think the government is absolutely right, I think the monopoly of the teaching profession on counselling ought to end." That was indicated by the Honourable Sean Conway, who is a former Minister of Education and member of the Liberal caucus. Would you agree with that?

Mr Bruneau: Are you referring to guidance departments?

Mr Bruce Smith: Yes.

Mr Bruneau: Most certainly. I think a problem many guidance departments face today, and I know in my school, is that they're kind of out of touch with what students are looking for in the future. For example, I had a problem —

The Chair: I'm sorry, Mr Bruneau. We have to do a rotation and our time is up for Mr Smith. Mr Hoy.

Mr Hoy: Thank you for your presentation, Jon. In your remarks about prep time, I want to relate a story to you that I heard from a young teacher who has maybe taught about half a dozen years. She is involved with five extracurricular activities at her school. I'm not certain just what they are, but I would assume maybe sports after hours or whatever. She was involved in five different activities. She said she started preparing for her time in the school in early August, which you suggested some teachers should do, and indeed I'm saying they do. She regards her prep time as very important when she balances that with these five extracurricular activities she's involved with, along with parent-student-teacher interviews as well. She meets with people at noonhour, 3 o'clock, 4 o'clock, 8 o'clock at night. She's one who agrees that prep time is very important to her as a young teacher and I tend to agree with her.

Would you substitute these extracurricular activities, have her forgo those to do the prep time, as you say, at other hours of the day?

Mr Bruneau: I'm not familiar with many teachers who are involved with five extracurricular activities, and it does seem a bit too much of a workload. I would suggest to them to maybe decrease the extras and put more in the classroom for the teachers who have as many as that.

Mr Lessard: Thank you very much for taking the time to come to visit Chatham today, Jon. We appreciate that.

In your comments you said the teachers you've been speaking to would give up preparation time for a smaller class size. I was wondering if you felt that if teachers feel that way, it wouldn't be appropriate for them to have those discussions during collective bargaining locally with their school boards rather than having that dictated to them by the Ministry of Education and Training from Toronto.

Mr Bruneau: The ones I've talked to I've asked, "Would you prefer it being cut totally or would you prefer a portion of it cut out to have smaller class sizes?" because apparently some class sizes, as I indicated before, are too high. The teachers I've talked to would sacrifice a portion of their prep time in exchange for smaller class sizes.

Mr Lessard: They can do that through collective bargaining with their local boards now. That's my point. This would take that power away from local boards. Do you have any concern about taking that power to deal with many of those issues away from local boards and putting it in the hands of the Minister of Education and Training in Toronto?

Mr Bruneau: Collective bargaining at a local level, as I indicated, has clearly been abused, for example, with class sizes. I think they should lose that privilege and we could increase standards if it was at a provincial level.

The Chair: Thank you, Mr Bruneau, for your presentation here today.

1340

GERALD LITTLE

The Chair: Our next presentation is Gerald Little on behalf of the Lambton Progressive Conservative Association. Good afternoon, and please proceed.

Mr Gerald Little: Good afternoon. Ladies and gentlemen of the justice committee, I appreciate the opportunity to address you and add my input to the reforms being proposed to Bill 160.

A couple of items I'm sure we all agree with: Our students in Ontario are our most precious commodity we have among us. Second, I want to express something I think everyone agrees on: That there is nothing wrong with our teachers, students or trustees. They are all very bright and hardworking, in my opinion.

However, we have a problem with the system, and I want to address the system here today as much as possible. Every year we are spending more money, yet we're not seeing our children learn more. I've seen similar problems in business, and I can assure you that the answer is never as simple as throwing more and more money at the problem. What has to change is the system. As soon as we fix it, everything else, in my experience, falls into place.

From what I've read in Bill 160, the government has some real solutions to making the system work better, although there are more reforms I would like to see. To be honest, I have never understood why teachers need so much prep time. Taking time to prepare for work that needs to be done is something that every professional, every business person and almost everyone who works does, yet we're not paid to prepare; we're paid to do a job.

Between teaching in the classroom for three and a half hours a day and the holidays and the sick time our teachers receive, I hardly see what is so unreasonable about asking high school teachers to teach the same number of hours as their colleagues in the elementary schools or the average amount of time the rest of Canada's teachers spend teaching in the classrooms.

In study after study that I saw, we see our children are not performing as well as they could be. To get the level of achievement up, there's no question we need teachers providing more instructional time. I believe firmly that that would do it.

I know that teachers are dealing with many social problems they traditionally never had to deal with before, and we all know what they are. I have the highest respect for their efforts. However, I have to stop and wonder, are they equipped to do this?

They are trained to teach, provide information and help students put the whole economic part together, not to deal

with problems associated with substance abuse, as an example, violent relationships, problems at home or even career advice. By allowing staff without teaching certificates into our schools, maybe we can use people specifically trained to handle these problems rather than have teachers doing something over and beyond teaching our children.

On the same topic, I have to question why we need someone with a teacher's certificate to be a librarian, a guidance counsellor or even a junior kindergarten teacher. Wouldn't somebody trained as a librarian or a guidance counsellor do just as good a job? Frankly, even though it probably isn't a politically correct statement to make, I think we all realize that junior kindergarten is more of a babysitting service than anything else. I would prefer junior kindergarten to be supervised by someone with a certificate in children's caregiving rather than possibly a teacher's certificate.

I strongly approve of the government's initiatives to get parents more involved in education. This would give parents more opportunity to address the unique situation every school has and would also give us, as parents, more responsibility for our children rather than expecting educators to do everything.

If there is a problem with violence or the behaviour of our students in a particular school or classroom, parents can get involved and ensure there is a zero tolerance program in place. I'd even like to go as far, on a zero tolerance program, to say that it be spelled out, and use the philosophy that when we register our children in school, we take them there and we understand and sign for the guidelines of a zero tolerance policy. I believe we have to get the parents involved and put the shoe on the parents' foot about the violence we have. Certainly, if we get into a classroom and we have one or two who disrupt a class of 25, we're taking away the opportunity from the other 23 to get their education.

Another aspect of this bill that I appreciate is that it would allow the government to set class size. I've heard critics say this is just a power grab and we can't trust the government not to increase class sizes. My view is that class size should not be a bargaining item left to be resolved by unions and boards. Someone has to control class size, and my preference is the government, because I can hold it directly accountable. If class sizes increase, I know whose fault it is and I'm able to vote against those responsible.

There are many dedicated teachers. There's no question about that. However, I feel that unions have become far too militant. I've heard the government offer compromises and ask unions for alternatives. All I've seen from the unions is a determination to throw their weight around by striking. I am very offended by the fact that my grandchildren are being held hostage in this situation.

Today's situation is not a new story. In the last decade I've seen at least three strikes lock our children out of school. This says to me there is a serious problem with the present system. I can't believe teachers' unions are willing

to resort to an illegal strike over what's contained in this bill, which in my opinion doesn't go far enough.

I've heard that originally the government was considering taking principals and vice-principals out of the bargaining unit, but they took this off the table because teachers' unions were extremely upset and opposed to the idea. In any successful company or business I've seen, I've never seen them be successful with this type of situation.

I regret this step was taken off the table and I hope the members of this committee and of the government will reconsider. Keeping management in the bargaining unit with the people they are supposed to supervise, evaluate or reprimand if they are not doing their job is an obvious conflict, in my opinion. Management should be as concerned about our children's education as the teachers are. There is no reason to keep them in the bargaining unit except to ensure teachers' unions are strengthened to the point that they can easily take an illegal action such as striking when they are not in a legal position to do so.

There is one more item I would like to bring to everyone's mind or attention, even though I'm aware that it's not in the bill or even on any agenda: the existence of two school systems. We can't continue to afford two systems. We're duplicating expenses such as school boards, busing systems for one area. Too many results make no sense.

For example, my granddaughters went to a school in our community that had to use four portables because of the lack of classroom space. Right across the field, less than 500 feet away, there was another school from the separate board. This school had five empty classrooms. Does this make sense to anyone here?

1350

Although students from both schools played in the same yard during recess and lunch, one school had empty rooms that the other couldn't use. I ask all members of government and opposition parties to take this situation into future consideration when you're looking for ways to control education costs and make sure tax dollars go directly to improving the education we give our children.

In conclusion, we already spend enough on education. We just have to use our resources in the best possible way. Bill 160 is a good step in the right direction. I hope there will be more. If we think we can go on spending more money doing the same thing, allowing class size to be negotiated by people who are largely unaccountable to us, and keep parents uninvolved in education, we're in for a rude surprise in the future.

The Chair: Excuse me, sir. Unfortunately, our time has elapsed. We have your written brief and can complete it ourselves. We thank you very much for your attendance here today.

GINN RAWLINSON

The Chair: Our next presentation will be OPSTF, Kent District, Ginn Rawlinson.

Ms Ginn Rawlinson: I'm here as a representative, as you stated, of the Ontario Public School Teachers' Federation, but I wish to speak to you today as a teacher, very proud of the work that is performed by me and my colleagues across this province. I am committed to lifelong learning and to equal opportunity for every child in this province to live an independent life as a contributing member of society.

I began my career, as so many teachers have, by working without pay for two years. In the 27 years since then I've spent my summers preparing for the upcoming school year and upgrading my skills in a variety of ways, including the completion of university courses equivalent to six years of full-time study. I have given literally thousands of hours of my own time, after school and on weekends, to coach teams of children, write curriculum, plan with colleagues, and attend and contribute time and energy to a variety of work-related activities and committees. I've spent more of my own money than I care to calculate, purchasing materials for my classroom that would not or could not be provided by my school board. I've gone to hospitals and private homes to visit sick students and, unfortunately, attended some of their funerals.

Believe me when I tell you that I am not an anomaly. I know scores of colleagues who could tell you the same things about themselves, many of whom have received provincial and even international recognition for their contributions to education. Anyone close to teaching and schools will tell you it is the goodwill, dedication and commitment of teachers that are responsible for the quality of education in Ontario. It comes without a price tag, but its value is immeasurable. If you destroy it, no amount of curriculum and testing will improve the quality of education.

Certainly, teachers do not have the same reputation today that they did when I was a schoolgirl, but then the children we teach and the societal pressures that mould and shape them cannot be compared to those of the 1950s. Throughout the decades since then, teachers have taken it on the chin. Like many other professionals, we've often been the target of ridicule, though never to the extreme to which the former minister himself went and invited others to go. I'm told that this riding's MPP, and even the Premier himself, have had brief and unsatisfying careers in teaching. The former minister's school record speaks for itself.

Perhaps this is the basis for some of our current events. If so, we may not enjoy it, but we can continue to be your collective punching-bag. The elementary teachers of Kent county have never before contemplated strike, legal or otherwise. We've had our staff and wages cut by the previous government and we've experienced the depletion of human and other resources and the increase in class sizes due to the continued funding cuts imposed by this administration.

Though we have not negotiated a pay increase since 1992, in June of this year Kent's elementary teachers struck a deal with our board that saw a 10% reduction in

our preparation time. We agreed to it because the board of trustees let us keep half the teachers who normally would have been displaced by this reduction so that we could begin to address the class size problems created by this government.

But now we've drawn the line. With Bill 160 you're going after our kids. A nurse at one of the mass rallies held a few weeks ago spoke to a colleague. Nurses had not wanted to take their patients hostage and so continued to work through their restructuring. She stated that this government's policies have since taken Ontario patients themselves hostage. Teachers cannot and must not allow them to do the same with our children.

What happens in Toronto, and has been happening in Toronto since the beginning of this school year, happens in school yards across this province. There's a power struggle between two camps of politicians, goaded on by the media. First one, then the other, plays the role of bully and the fight goes on. The former minister claimed that union leaders wanted a strike, not the general rank and file. Let me assure you, not one of us wants the political protest to proceed on Monday, but the teachers of Ontario need not follow their union leaders to the bricks. They need no more reason than Bill 160 to take this unprecedented action.

Those of us who have stayed in this proud and noble profession do so because children, our students, are our first priority. We recognize that the future we will share is in their hands. This bill frightens and alarms us. I've often used the analogy with my colleagues of a mother and child. I remember how my mother sacrificed for me and my siblings. The consummate and constant teacher, she taught us to solve rather than create problems, to negotiate rather than fight and to put others before ourselves. This government could learn a lot from her. Like any good mother, she fiercely defended and protected us and continues to do so today.

I tell you here and now that I will do whatever is necessary to defend and protect the present and future students of this province. I say this not as an ultimatum or a threat but merely as a statement of my conscience. I could enumerate for you all the objections I have to the Quality Education Improvement Act, but you have only given me 10 minutes. For the past three years the teachers of Ontario have been trying to tell our politicians why we find it so objectionable. Our words thus far have been ignored or fallen on deaf ears.

I will attempt to summarize the issues I find most contentious in this unconscionable piece of legislation.

You claim that you must improve the quality of education in Ontario and will do it with standardized testing and a new curriculum. What do you think teachers have been teaching? We teach today, as we always have, what this government tells us to teach. In my professional career we've taught and defended your new math, whole language, Transitions years, the Common Curriculum and now the Ontario Curriculum, less than half of which we currently have. We've tried our darnedest to make a success of your open concept schools, streamed, de-

streamed, structured and activity-based teaching strategies. We've suffered education whiplash at the hands of each change in government. We so rarely receive praise, but that's OK. We will not, however, accept the blame for failing to make a silk purse of an occasional sow's ear.

Now, with Bill 160, you put total control of education policy in the hands of the provincial government. To whom shall we go with our concerns? Our school boards have been relegated to distant, unrecognizable names and faces without much local accountability and less authority. Yet, like me, many of our local taxpayers have had the disheartening experience of seeking the support of local, let alone provincial, government representatives.

This brings me to the final and most formidable objection I have to the bill. My school dictionary defines "democracy," as those proud students did this morning, as "a form of government for the people, by the will of the majority of the people, based on the conception of the equality of man." In the democracy I have enjoyed as a citizen of Ontario, it is my right and privilege to belong to a union with all the responsibilities that entails.

Teachers in Ontario have a long and excellent record of collective bargaining under Bill 100. As a federation leader, I work in cooperation and collaboration with my school board and senior administrative staff. The teachers of this province have never, in my experience, demonstrated the collective strength or opposition, which you so obviously fear, until it was provoked by this government. Each year of my career, I've seen a greater number of children arrive at our classroom doors with challenges that, I would suggest to you, few of us around this table ever had to face.

The only chance they have of an independent future as contributing members of society is with equal opportunity to, and benefit of, a good education. The greatest joy I have as an educator is to see one of my students, with whatever influence I may have been able to give, find success. I will not stand idly by as this government dismantles and strips the education system we currently have until it becomes an opportunity, not for all children, but from which private enterprise can realize a profit.

Privatization and charter schools are not an option for the growing number of disadvantaged students and their families. For them, fee for service is displacement to a substandard system, replete with unqualified staff, limited programs, few options and precious little hope. In short, the education system of Ontario is not and must not be for sale.

In addition to the comments I have given you, I would like to suggest that I agree totally with you, Ms McLeod. There needs to be a cooling-off period and some meaningful discussion. We need to grow up and do our jobs.

The Chair: Thank you, Ms Rawlinson. There's one minute left. I'd like you to use that for any further comments you'd like to make about the bill.

Ms Rawlinson: Thank you. I think more than enough has been said about the bill.

The Chair: Thank you very much, then, for your presentation here today.

1400

ONTARIO CATHOLIC SCHOOL TRUSTEES' ASSOCIATION

The Chair: Our next presentation is the Ontario Catholic School Trustees' Association, Patrick Daly. Welcome. We have allotted 30 minutes for your presentation.

Mr Patrick Daly: Thank you, Mr Chairman. I'm joined today by Patrick Slack, the executive director of our association, Monsignor Dennis Murphy, the director of Catholic education, and Carol Devine, the director of political affairs and media relations.

Mr Carroll: On a point of order, Mr Chair: There is some confusion in the audience about why this particular group has 30 minutes as opposed to 10. Could you explain that so everyone understands, please.

The Chair: The committee dealt with it and the majority of the committee, over the objections of a minority group, decided that certain individuals would have 30 minutes and certain would have 10. This group received 30 minutes, and unfortunately I guess there was not room for them in Toronto, so you've had to drive all the way up here to get your 30 minutes. Is that correct, Ms McLeod? Is that fair?

Mrs McLeod: Thank you, Mr Chairman. I'd certainly be prepared to identify myself as part of the minority that did not like the change in process with an exclusive list from the minister of people who got half an hour, but I am delighted that the OCSTA is one of the groups that received half an hour. Welcome.

The Chair: Thank you. Please proceed.

Mr Daly: Founded in 1930, the Ontario Catholic School Trustees' Association represents 53 Catholic school boards who collectively educate over 600,000 students from junior kindergarten to grade 12/OAC. The mission of all our Catholic school boards and their schools is to create a faith community where religious instruction, religious practice, value formation and faith development are integral to every area of the curriculum. This is in addition, of course, to providing a complete curriculum as defined by the Ontario Ministry of Education and Training.

Our remarks today are offered within the context of the broad agenda of education reform put forward by the government of the province in recent months. Within this broader context, which is indeed partially the context of education reform in western society, we hope the committee will better benefit from our specific comments dealing with Bill 160. We realize that much of the reaction and commentary regarding educational reform suffers from the unfortunate politicization of education. As an association of Catholic school boards, we do not pretend to be free from the politics of the issue but we are trying to present an assessment of education reform and Bill 160 in as objective a fashion as possible. Our hope is

that our comments reflect the desire that these educational reforms be directed and inspired by the concern to provide the best education possible for children in all of the publicly funded schools of Ontario.

In appraising the education reform agenda of recent months, we applaud the government for moving to implement many of the reforms suggested by the Royal Commission on Learning and other groups and commissions. It is salutary to recall that the report of the royal commission was warmly received by most Ontarians in 1995 as providing a way into the future for Ontario's education system. What is therefore distressing is to witness some groups intent on rejecting the implementation of many of its recommendations. As will be clear from the comments which follow, however, we are not in agreement with all of the recent education reforms introduced by the government. Nor do we believe that the speed of the educational reform agenda is, in some of its parts, necessarily in the best interests of children and our education system.

Our association is supportive of the directions taken by the government in the areas of curriculum, standards, accountability, reporting and funding. We are less supportive of some of the initiatives taken in the area of governance, in the matter of labour relations and negotiations, and about the pace of such comprehensive education reform in certain areas.

We go on, on pages 3 and 4, to outline our support in the areas of accountability, curriculum and funding, and we'll come back to those a little later in our specific comments on the bill. As well, on pages 5 and 6, we comment in detail about some of the troubling aspects of the recent reform. We'll allow you, at your leisure, to read them.

One comment, on page 6, that I would like to make in regard to section 136 of the Education Act is that our association has been strongly opposed since that part of the Education Act was added in 1986. We want to go on record again as indicating that we believe the way is open for the government to take action in this regard, as section 136 of the Education Act has been effectively opened by section 135.1 of Bill 160. We hope you will take that into consideration.

Beginning on page 7, we go on to give some specific comments on the bill. The first is in the area of finance. As mentioned earlier, OCSTA supports and is encouraged by the intention of the government to finally achieve equity of educational opportunity for all Ontario students. We are pleased that the legislation contains a review process intended to ensure that the funding mechanism will operate in a fair and non-discriminatory manner. The legislation as worded allows as well for the maintenance of our constitutionally guaranteed taxing rights. We are heartened as well by the bill's insistence that the "legislation and regulations governing education funding operate as to respect the rights given by section 23 of the Canadian Charter of Rights."

In this section we strongly recommend that the government ensure, through legislation, adequate resource

allocation which will guarantee the high degree of autonomy and flexibility which the various types of school boards require.

We make the second strong recommendation that no further cuts be made to educational funding. The issue of equity is linked directly to the adequacy in the level of funding in Ontario.

Our final recommendation in the area of funding, and one of our strongest out of clear justice issues, is that we recommend that the implementation of the funding model proceed without delay. We cannot make that recommendation strongly enough. For too long the province has funded education in such a way that clearly there are second-class students. We can no longer allow that to continue.

In the area of teacher bargaining, we believe our comments present the kind of compromise that could be of assistance to those working, hopefully, to resolve these contentious issues over the next number of days. We leave them for your consideration.

We are concerned that much of the publicity surrounding the teaching profession in recent days reflects the efforts of the teachers' associations, which understandably strive in this period of education reform to ensure the welfare of their membership. Some of this publicity is quite unflattering. We wish as an association of Catholic trustees, and I as a Catholic parent with three children in elementary school, to go on record as being highly appreciative of the teachers in our Catholic schools, who are impressive in their professionalism and their dedication to the ideals and goals of Catholic education.

1410

Specifically in the area of class size, we state that any provincial regulation which would cap class size would have to take into account the possible impact it could have in creating additional classes in overcrowded schools where physical capacity is already overloaded. It must be remembered that in a good number of boards the current backlog of new capital requirement remains large. Care must be taken, therefore, to provide some flexibility to local district boards in the application of any such control.

We would argue that discrepancies in class size across the province, in large measure, have been created by the significant inequities inherent in the current education funding model. The new "fair" funding model will ensure relative consistency in class size throughout the province.

To assist boards, we believe that the government should provide provincial guidelines regarding average class size. Such guidelines would have to allow for flexibility at the local level and in areas such as special education. Within the scope of these guidelines, actual class size will be best achieved through bargaining between school boards and local teacher units. Any control which the government deems necessary in relation to class size can be assured through the new funding model, and we want to go on record as recognizing the fact that that control will be inherent in the new funding model.

We recommend strongly, therefore, although we support the concept of provincial guidelines for class size,

the deletion from Bill 160 of regulatory powers which would give the minister authority to determine class size.

Moving to the area of differentiated staffing, just to read our recommendation: We do not believe that the matter of differentiated staffing should become the subject of regulatory power. Local school boards are better positioned to determine what is beneficial in their areas and can more effectively negotiate this matter with the local teacher unit.

The final specific area in labour relations is the contentious issue of preparation time. There is convincing research that indicates that at least at the secondary level Ontario teachers have considerably more preparation time than their colleagues in other parts of Canada. On the other hand, it must be remembered that, like many good wines, educational research often travels poorly. What is adequate as preparation time in other educational jurisdictions is not necessarily adequate for secondary school teachers in Ontario.

We caution as well that in determining preparation time for teachers concern must be shown not only for the educational welfare of students but also for the welfare of teachers.

We agree as an association that reform is important in the matter of preparation time. We share the opinion that change must occur in the manner in which schools are staffed. As indicated in the report of Education Improvement Commission, this is particularly true at the secondary level. Thus we support the intent of the bill in this regard. We would, therefore, appreciate and support the establishment of benchmarks related to the setting of limits on preparation time by the government. Within these limits and benchmarks, trustees and teachers can negotiate what is best in the local circumstances.

We do not agree, however, that preparation time is best determined by regulation at the provincial level. To us this goes too far. We believe that within the context of the new funding model school boards can better deal with this matter at the local level, and we recommend that again for your consideration.

Moving into the area, briefly, of school governance, we speak to our concern on the issue of removing in many sections of the bill the usage of the word "trustee" in the act. Within the Catholic community, "trustee" is a term that holds much historical meaning and connects those who serve Catholic parents and ratepayers not only as financial stewards but as stewards of the faith and the rich heritage of Catholic education. We have encouraged all our boards to use the term "trustee" rather than "board member," and we strongly recommend that this same consistency be assured within the Education Act itself.

On the issue of representation of pupils on boards, we just quickly want to go on record as supporting that concept and the unique contribution students can make around the board table.

On the issue of electronic meetings, an important point we'd like to raise, we are concerned that electronic meetings would effectively limit the ability of the public and media to participate or be present at meetings. To all

intents and purposes, all such meetings would be held in camera, and we do not think that is useful or helpful to the democratic process. For this reason we feel that the minimum of three face-to-face meetings as mandated in Bill 160 should be increased until at least such time as there are effective and non-costly technological ways of involving the general public and the media in electronic board meetings.

On the area of school councils, we want to go on record as strongly supporting Catholic school councils and their development as an advisory body. We as an association, and Catholic boards across the province, will move to assure their evolution as constitutive dimensions of the educational structures of this province.

In conclusion, and I won't review all of it, we would like to indicate at the bottom of page 16 our strong recommendation and perhaps our most important.

There remains much debate as to which programs most adequately address the educational and other needs of young children. There is, however, an area of program wherein the debate is really over, an area which calls for immediate action. The research supporting the recommendations on the value of early childhood education, as recommended by the recent report by the Royal Commission on Learning, is practically unassailable. Early childhood education benefits not only disadvantaged students who lack adequate educational stimulation in their early years but all students. Catholic boards in Ontario have long been convinced that a successful start in the early years provides children with a solid foundation upon which to build their educational career. This conviction has led most Catholic boards to maintain junior kindergarten programs even in the face of funding cuts for these programs.

For this reason, and again to emphasize, we recommend strongly that there be no further cuts in funding to education. However, we agree that funds can be saved in certain areas, and any of those savings should be reinvested. We strongly propose and recommend that any moneys saved through the educational reform package of the government be reinvested through the gradual introduction of early childhood education as a constitutive part of Ontario's educational system.

Mr Chairman, just to thank you and the committee members for giving us this opportunity, and we are pleased to respond to any questions.

The Chair: Thank you very much, Mr Daly. We have five minutes per caucus.

Mrs McLeod: First of all, let me thank you for, as expected, a very thoughtful brief and a very thorough brief. I appreciate how much material is in the brief that you didn't take time out of our session to present and I'll look forward to going over it.

I want to start with a number of the recommendations that you've presented in the areas that, as we've heard in committee over the last few days, are the ones at the crux of the confrontation. It is an omnibus bill. There are a huge number of issues and areas dealt with by this bill, but we are all obviously focused on what may happen to 2.1

million students on Monday morning, not to mention the anguish of 126,000 teachers.

You've identified a number of areas in which you feel as a trustee association that this bill goes too far in its regulatory power. It would seem to me that if those areas could be addressed by government immediately, if they would even, if not accept the recommendations, at least withdraw those portions of the bill that your recommendations speak to, that could avoid the protest that we now seem bound for on Monday morning. Do you think that would be true?

Mr Daly: I understand clearly that it seems to me that's what the teacher federations have requested, if not demanded, at this point. It's our belief that the recommendations we've outlined would propose a balance between Bill 160 as currently written and the concerns of the teachers and that, although we support many of the reforms in terms of labour relations, removing the regulatory power and the discretionary nature of those powers to the minister would be very helpful. I'm hopeful that over the next few days, in the discussions that go on, there can be some understanding and consensus around those issues so that the strike does not happen.

1420

Mrs McLeod: I know you will be taking those concerns forward in forums other than this one. I hope they will be heard because, as you've noted, there is much in Bill 160 where there can be agreement, where there is a need for some fairly immediate action. There are certainly areas that need to be amended. The teachers' groups themselves who have presented have identified a number of areas in which there would be no quarrel with some of the changes that are proposed in Bill 160.

My concern obviously is that the reasons that the regulatory controls are there, in those specific areas that allow reduction of teachers by cabinet as opposed to making local decisions about staffing, is in order to effect what we saw this week, which was the \$667-million reduction in overall educational funding that the deputy minister's draft contract contained. It's a bit of a rhetorical question, given the statements over and over again in your brief that there should not be any overall reduction in funding — you've said equity is related to adequacy — but is it possible to even achieve that central goal that you have worked for for so long of equity if there should be another \$667 million withdrawn?

Mr Daly: Not at any level we would find acceptable, no. It would clearly be harmful to children if such a cut were forthcoming. One of our real concerns is that those positive aspects of the bill such as the new funding model, which we go on record as commending the government for, are getting lost in some of the other obvious, very public, issues taking place at this moment. We're hopeful and confident that people meeting over the next few days can resolve those. We think we've provided recommendations, a compromise, what have you, that would resolve it. We're hopeful we can do that and move on to allow and provide teachers with an opportunity to continue to provide the excellent education they do.

Mrs McLeod: I truly pray you're right. Is there time for one brief further question?

The Chair: You've got one more minute.

Mrs McLeod: Then, to one of the very important but less focused-upon aspects — I'm just flipping back to the very beginning of the brief on the governance issues — it was the stated comfort level that you've expressed with the way in which your historical rights as separate school boards to taxation have been recognized in the bill. The designation power is certainly there. My understanding of that is that would meet a concern that had been expressed about Bill 104.

This is just a straight question. Is there inadequacy in terms of the protection, given the fact that the taxing powers are still suspended? They rest in the hands of cabinet entirely to tax for education. Would you be seeking some amendment that would allow at least some portion of taxing power to actually remain at the local level so that those rights to tax are clearly protected in practice?

Mr Daly: We believe the bill as written provides that protection and we will not be seeking amendment. Our position has always been that Catholic boards clearly have the constitutional right to tax; however, if a funding model was implemented that was in the best interests of the children that we serve, that Catholic boards could choose to set aside or suspend that right. We think the bill protects us in that regard.

Mrs McLeod: Such an amendment as proposed by the public school boards, though, would not be at odds with your historical right to taxation. Is that —

Mr Daly: I haven't seen their amendment, but if, in any way, that continued to allow the inequities to continue, we wouldn't support it. Without seeing it, I can't comment.

Mr Lessard: Thank you very much for your presentation this afternoon. I sincerely appreciate your comments with respect to junior kindergarten. As a parent of a four-and-a-half-year-old son who was in junior kindergarten last year and is in senior kindergarten this year, I have had an opportunity to see at first hand the advantages of having young children attend junior kindergarten. I think, if there was any mandate that this government was going to impose on school boards, that would be one of the things they would say. This is a program that school boards should have to provide, but they haven't done that.

You've also made a suggestion that any savings that are found are reinvested in classroom education. That's certainly something that the NDP agree with. You've also made some comments with respect to your optimism that discussions over the next couple of days may be fruitful and avert a province-wide walkout by teachers on Monday. That's something we're certainly hopeful of as well.

However, we're concerned that that may be difficult considering the hardened positions of the government and the teachers at this point. That's why we've called for the appointment of an independent facilitator to attempt to assist the parties in those discussions. Without that

independent facilitator I don't think we can continue to share that optimism about averting a walkout on Monday.

One of the questions I had was with respect to the funding model. Do you feel that it's important or critical to ensure that you know what the funding model is going to be prior to the passage of Bill 160?

Mr Daly: We obviously are concerned and continue to work with ministry staff regarding the development of the actual funding model. We see this as an important step and the most important to put in legislation, that the funding model in fact will work in a non-discriminatory manner. This is a big step and we want to see it go forward. Moving from there, we have concerns and want to see the details of the funding model and will continue to work with the ministry staff to ensure that it provides the flexibility and autonomy that we would require as Catholic boards and the adequacy that I referred to earlier. There are two important parts. We think this should proceed and then finalize the funding model.

Mr Lessard: My question is, are you saying to the government members of the committee today that you would like to see that funding model before Bill 160 is passed, or do you feel comfortable with the passage of the bill without knowing what that formula is?

Mr Daly: I'm not saying that Bill 160, in terms of the funding model aspects, should be delayed. No, we think it should proceed and we will continue to work with and influence and lobby, do whatever we can, to ensure that the details of the funding model work to the benefit of the children.

Mr Lessard: Part of your suggestions as well deal with your concerns with respect to the loss of local control. There are issues that you feel you can best deal with on a local level. You've mentioned a couple of those. Those are with respect to class size and with respect to the use of non-certified teaching staff to provide certain services in schools. Only time will tell whether the government takes into account your suggestions and makes changes to this bill. However, I'm not all that optimistic, and I'm wondering what you, as trustee, would see your role to be if Bill 160 were to be passed as is. How important do you think your role may be?

Mr Daly: I think as Catholic trustees we play a very important role and will continue to do so in the future. Obviously, and as you've mentioned, we are concerned about the regulatory power, the discretionary power given to the minister. We oppose that and think there are better alternatives. However, we clearly think that, as the policymakers and the stewards of our systems and of our educational operations in our communities, we will play an important role. I get concerned that perhaps people — and I'm not saying you are, but others — minimize the role trustees will have in the future. I think we'll have a very important role. I'm running again this time and look forward to serving.

Mr Carroll: Thank you, Mr Daly. I appreciate your presentation. There have been several references, especially from the teacher union people we've heard from, about the issue of democracy. So much so, I guess

they were probably highlighted by one of the gentlemen from Windsor OECTA this morning. His parting shot to us was, "Heil Harris," which I thought was terribly inappropriate. I've had several teachers in the Catholic school system approach me and say, "Can you explain to me why we did not have the right to a secret ballot vote on this issue of an illegal strike?"

Your organization represents the trustees that all these teachers work for. Are you aware of any situations, any school boards that your trustees represent that have allowed their members of OECTA to have a secret ballot vote on whether or not they wanted to break the law and participate in an illegal strike?

1430

Mr Daly: To be honest, I'm not aware of the details of the process used by OECTA in terms of receiving approval, if that was done in each community. I've not heard in any jurisdiction where all the teachers actually voted. I know they went through their executives in the manner in which they operate. I couldn't comment specifically. I don't know what mechanism was used, but I'm not aware of a vote of all the members taking place.

Mr Carroll: Just as a follow-up to that, in the CAW, CUPE, OPSEU, all those folks get an opportunity to vote on whether or not they want to strike. As a member of a Catholic school trustee association — and I'm a Catholic myself — how do you feel about the fact that we've asked these teachers to go out on an illegal strike and we didn't give them the opportunity to say yes or no that they wanted to? How do you feel about that?

Mr Daly: Rather than comment on the specifics, clearly we don't condone an illegal strike and we would strongly encourage the teachers to show up for work and we clearly expect them to. However, I understand their concern in terms of the regulatory power. The only way I can answer that is that the teachers will hold their local presidents and their organization accountable for actions they take and it's best left for them to deal with that.

Mr Froese: In your brief, you indicated that you're in favour of the new funding model and clearly there's now fairness for the children in the Catholic school system. I agree with you; I think that's fair. You're not in support, though, of class sizes and differentiating staff and preparation time. You clearly want that control as trustees. The differentiating staff, the bill allows you to have that flexibility. You would have that flexibility under the bill anyway.

I'd like to have your reaction. What do you say to parents when they've told us that because the collective bargaining units, teachers' unions and boards, have had this under their jurisdiction, class sizes have gone up as a result of dealing with the prep time? What do you say to those people? You want that control and they've told us that class sizes have gone up because of those negotiations.

Mr Daly: In our brief, we indicate clearly that we support reform in all of the three areas you mention. We're not opposed to provincial guidelines, benchmarks that local boards and teachers' units should have to

achieve. However, we oppose the regulatory power that would leave that totally at the discretion of the minister.

What I would say to parents, and obviously I have many times in my capacity, is that the needs are so unique in any school, let alone board, that the absolute decision-making is best left at the local level. I think if one looks at the issue of class size in particular, it's only in recent years that class sizes have increased, and in large measure that was due to the social contract. The social contract put requirements on boards and teacher units all but to negotiate increases. Although clearly we are accountable for the decisions we've made and actions, I think some of the reasons for those increases were due to actions by not simply this government but provincial governments.

The Chair: Thank you all for your excellent presentation here today.

CHRIS LORETTO

The Chair: Our next presenter is Chris Loretto. Welcome, Mr Loretto. Please proceed.

Mr Chris Loretto: I'd like to take this opportunity to thank the committee for allowing me the time to speak on Bill 160. My name is Chris Loretto. I'm a second-year political science student at the University of Windsor.

I guess it would be fair to say that we are at a crossroads in the history of our education system in the province of Ontario. It is unfortunate that the teachers feel it necessary to compromise the education of over two million Ontario students by participating in an illegal strike, but hasty and poorly thought out political protests seem to be the order of the day.

The current debate on education reforms needs some perspective, especially after the events that transpired yesterday. It is time to cool the rhetoric and take a long, hard look at what Bill 160 is proposing for the students in Ontario.

I do not view Bill 160 in the same draconian terms that the teachers' unions do. In fact, I believe Bill 160 is a necessary step in ensuring the highest quality of education for our students here in Ontario.

Our education system must be more responsive to parents and students. We need to limit class sizes. Class sizes have been increasing since the beginning of this decade. It began long before this government came into office, and unless someone demonstrates leadership in this area, class sizes will continue to grow at the expense of students' education.

We have enough teachers in the system to lower class sizes. In elementary grades there is one teacher for every 17 students, yet the average class size is 22. In the secondary level the teacher-pupil ratio is 1 to 15, yet the class size is 25. It is very difficult to justify these numbers to the parents in this province. It does not take a report or a study or even a royal commission to tell you that there is a direct correlation between class size and the performance of students, especially at the elementary level.

It is a fact that the more time a parent spends with his or her child at a young age, whether it's reading or playing with the child, the happier and more complete that child will be. The same logic can be extended to teachers and class size. Capping class sizes can be done by ensuring that teachers spend more time in the classroom doing what they do best. But perhaps more important, we need teachers to spend more time in the classroom to improve the performance of our students.

Lengthening the school year, reducing the number of professional development days, reducing the examination period for students and asking teachers to spend more of their day teaching students are all positive initiatives in this bill. The fact that Ontario secondary school teachers spend 20% less time with their students than do their counterparts across the country is unacceptable. Bill 160 will attempt to rectify this situation. According to the EIC, high school teachers spend 3.75 hours a day teaching students, while the national average is 4.5 hours a day.

Who can argue against increasing students' time with their teachers? Ontario spends more on education than any other province in this country. We spend \$644 more per student than the national average. The parents and taxpayers of this province are not being unreasonable when they say they want those dollars to be spent ensuring that Ontario students are receiving the quantity and quality of instruction they deserve.

Another positive aspect of this bill, though I'm sure many would disagree with me, is the provision for allowing experts in the classroom. This step is long overdue and further ensures quality instruction for our students. I do not believe this action to be a direct attack on the teaching profession. With the rapid change in technology and the resultant change in demands on our workforce, we cannot afford to wait for skills to be upgraded in order to be amenable to the new realities facing our students. There is nothing wrong with bringing in computer programmers to teach a computer class or a professional artist to teach an art class or a political scientist to teach a politics class. These would all be positive steps towards providing a more rigorous and challenging school experience.

I must share a personal experience with you with respect to experts in the classroom. Last year I had the privilege of serving on our political science departmental council. The council was looking for ways to excite younger students about political science in order to attract more students to the program and prevent a further decline in enrolment. I had proposed the idea of working with high school history department heads to set up a politics class that would be taught by a grad student or an associate professor. The idea was discussed but never adopted because many of the professors felt it would be seen as an infringement on collective bargaining agreements.

We cannot allow petty politics to get in the way of innovative ideas and approaches that would benefit all students. The aim is not to undermine the teaching profession but to supplement and support it.

Bill 160 also aims to support the teachers in this province by encouraging a greater role for parents. The provision in this bill to entrench school advisory councils is to be applauded. For too long parents have been relegated to the sidelines of the education system instead of being in the game. Parents need encouragement to get involved, and Bill 160 attempts to create the framework in which they will be able to get more involved. I believe increased parental involvement will serve to strengthen our schools and the social fabric that holds these schools together. The more active a parent is in his or her child's education, the more successful that student will be. Once again, it does not take a university degree to figure this one out.

There has been a great deal of debate surrounding whether or not it is wise to allow the provincial government to set education property taxes. The simple answer is that, yes, it is wise. The justification for this lies in the fact that between 1985 and 1995, school board spending increased by 82% and taxes by 120% while enrolment went up only 16%. The new demands placed on school boards during that time do not justify a 120% increase in education property taxes. I believe the province must take control of education property taxes to prevent a further gouging of taxpayers.

1440

As much as we like to pretend that school boards and trustees are responsive to those who elect them, the simple fact is that they are not as accountable as we think they are. When only 20% to 30% of eligible voters choose to exercise their right in school board elections, it is difficult to say that school boards and trustees are more accountable. Perhaps if 70% to 80% of eligible voters exercised their right to vote, school boards wouldn't have been so eager to increase taxes. Since it is very difficult to change voter behaviour and since it is arguably just as difficult to get school boards out of the tax-and-spend mindset, giving the province control over property taxes will ensure that any attempt to increase taxes will get the public scrutiny and debate that is necessary. The provincial government is the more accountable level of government, and I am confident that this will prevent education taxes from increasing excessively. It also helps to have taxfighters in government.

In conclusion, the initiatives contained in Bill 160 need to be implemented. They are positive for our students. These initiatives, together with initiatives already taken by this government with respect to a standardized report card, a common curriculum and standardized testing, will raise student achievement. Our students deserve nothing less than the highest-quality education in Canada. It is time to put politics aside and do what is right for our students.

The Chair: Thank you very much, Mr Loretto. We have one minute per caucus.

Mr Lessard: Thank you for your presentation. I wasn't able to hear the whole thing, but I did hear the final comments you made, that you thought provincial government representatives were more accountable than

locally elected representatives. I wondered why you thought that.

Mr Loretto: I think it's through no fault of their own. I think you must take into consideration the focus that comes on school trustees. There is a lack of media attention, a lack of attention and interest in general. When things get on the provincial agenda, they tend to be scrutinized more closely and people become aware of them more frequently. This bill is a case in point of that. I think people have an easier time of knowing where to go to get answers and knowing who to protest or write letters to when those items that they agree or disagree with come up.

Mr Boushy: You made a comment in regard to so-called unqualified teachers in the classroom. Could you enlarge on that a bit? Do you have them in the system? How many? How satisfied are you?

Mr Loretto: Experts in the classroom currently? I never had experience with experts in the classroom. In a few courses, we certainly could have used experts in the classroom to supplement what the teachers were teaching, especially with respect to — I'm very social-science-focused, and in high school we could have used an economist to come in and supplement what was being taught in an economics classroom. I'm trying to think of what other ones I've had experience with, but that's the one that jumps to mind.

I've always shied away from computer science programs, but plenty of my friends just sat there bored out of their minds because they knew how to do more than the teacher, and that's through no fault of the teacher. We could use them there.

Mr Hoy: Thank you for your presentation. Good luck in your field of endeavour with political science.

You talked about accountability of school boards and the voting habits of people in general in that regard, but do you think it's all right for the cabinet, and more specifically the Minister of Finance, to raise \$6 billion worth of taxes by regulation only? He wouldn't even have to come into the House, the Legislature, to increase those taxes and impose them on the people of Ontario.

Mr Loretto: I think it's fair. I must say I have confidence in this government at the moment that they are taxfighters and that they'll work to ensure that those property taxes aren't hiked the way they have been in the past.

I don't think you can trust boards to make those decisions. I don't see school board trustees being as accountable as, say, members of the provincial government or members of provincial Parliament in general. They've proven that they can't take control of this situation — we have the numbers in front of us — and that's just no longer acceptable to the people of Ontario. I think this government has earned the trust of the public and that they have proven they are taxfighters and that they will do the job they said they would do.

The Chair: Mr Loretto, thank you very much for your presentation today.

WATERLOO COUNTY WOMEN TEACHERS' ASSOCIATION

The Chair: Our next presentation is the Waterloo County Women Teachers' Association, Donna Reid. Ms Reid and I have had many animated and informative discussions. She's an excellent representative for her association. We've allotted you 10 minutes. Please proceed, Donna.

Ms Donna Reid: Thank you very much, Gerry. Yes, my name is Donna Reid. I am a teacher, I am a parent, I am a grandparent, and I am a federation leader.

I came here today to talk about basically three things. Teachers care. Teachers care about public education. Teachers cannot support the transference of power from the local jurisdiction to the government, the lack of details in Bill 160 and the interference with collective bargaining. Because we cannot, we are willing to take a stand.

I am talking about the women teachers in the region of Waterloo in the elementary system. Those are our members. We do not look forward to leaving our classrooms, our schools and our students. We consider ourselves caring, knowledgeable, professional women who take our role in the education of young students very seriously, so seriously that we are willing to stand before you and other members of the public on picket lines all across the region of Waterloo.

Like Premier Harris, we also believe that quality education doesn't come with picket signs or rhetoric. Unlike Premier Harris, we believe that quality education comes from staffing schools with qualified teachers, providing excellent early years education, ensuring sufficient textbooks and educational material for every student, offering a full range of programs, keeping schools clean and safe, allotting time for teachers to work collaboratively, providing excellent libraries with qualified teacher-librarians, and ensuring a full range of support staff in schools, all of which is dependent on adequate funding.

The members of WCWTA are saddened that we must take action that will impact on our students, our parents and ourselves. We take this action because we believe Bill 160 would result in a lessened quality of education, a reduced range of programs for students, a missed opportunity to improve learning conditions and a starved system unable to respond to the diverse needs of the children in Ontario. We did not become teachers to carry picket signs, but we will carry picket signs and we will protest this government's action because we believe the future of quality education is a responsibility we cannot shrug off.

Teachers aren't afraid of change. Teachers embrace change. They encourage change in themselves, their students and their school systems. The particular quality teachers bring to change is their ability to critically analyse its worth. Teachers are committed to growth, life-long learning, change with definable outcomes and change with a clear purpose.

There is a huge void in Bill 160 around how the proposed changes will aid the quality of education. How

will less preparation time add more teacher time with students? How will less preparation time help teachers to work collaboratively on developing and enhancing programs? How does a centralization of power over teachers' working conditions add to the students' learning conditions? How will complete control over educational finances by this government allow local autonomy to flourish?

The Premier of Ontario, Mr Harris, said last night that the taxpayers in Ontario were not getting value for their money. He has assured all of us that he will not let the status quo stand. His words reveal a cynicism about teachers and the work they do in schools across Ontario.

The teachers in Waterloo region are dedicated to their students. It shows in the number of curricular activities and clubs that are available to students through the volunteer efforts of teachers. It shows in the out-of-school hours teachers spend on marking, planning, driving students, serving on parent councils, fund-raising activities, field trips, getting materials, counselling students, report cards, notes to parents, calls to parents, and on and on and on. As Christa McAuliffe said, "To teach is to touch the future."

The members of WCWTA are feeling diminished and bewildered by the lack of respect shown by this government towards teachers. Their dignity and professional pride has been pushed beyond their ken.

1450

Teachers are afraid for the public education system in Ontario. They are afraid that the students will not come first. They are afraid that the Common Sense Revolution and tax cuts will come first. They are afraid that teachers' working conditions will deteriorate to the point of crumbling the supports that hold the system together. They are afraid that relationships among teachers, support staff, administrators and trustees will break down under the strain of disempowerment at the local level. They are afraid that our public education system will not be equally accessible to all. They are afraid that a two-tiered system and the privatization of education are on the horizon.

Their fears cannot be allayed by Mr Harris or Mr Johnson saying, "Trust us." Teachers need to know that the funding model allows local decision-making, has adequate funds for junior and senior kindergarten programs, encourages a broad spectrum of programs by incentive funding, and empowers local trustees, teachers and parents.

The issue here is one of power. The government is trying to convince people that centralization of power and control will yield a better educational system. The government is telling people that trustees and teachers cannot be trusted with the educational system. They, as the elected officials, are the only ones who can be trusted to use their power wisely, says the government. On the converse, trustees, teachers and parents are telling the public that empowering local stakeholders is far more likely to produce the results you desire. When people work together to reach a shared goal, the achievement comes sooner and is stronger from the commitment of all parties.

The goal of quality education is shared by all. How to achieve that goal differs dramatically and has taken our members to the brink of civil disobedience. Teachers care about kids. It is our caring that causes us to contemplate such serious action as walking away from our jobs. Quality education comes with a pricetag. We are willing to pay the price. Are you?

The Chair: Thank you very much, Ms Reid. We have about 30 seconds per caucus.

Mr Bruce Smith: Thank you very much for your presentation. I think it certainly provides an accurate overview of the positions we've heard from other representatives of the women teachers' federation. In Toronto we heard from your parent organization, which indicated that teachers will respond on their feet, not by secret ballot. Does that not concern you at all.

Ms Reid: No. We recognize that the action we are about to take is illegal. There would be no point in having any kind of ballot around something that is illegal. We have told our members that it is their personal decision they must make. I'm here and I think I have said to you that the personal decision of the Waterloo county women teachers is that they are going to use their feet and they are going to walk.

Mrs McLeod: The separate school trustees' association just made a presentation to our committee. They are supportive of much of what's in Bill 160 but they specifically recommended that the parts of this bill that provide control to the government to cut costs by cutting teachers be deleted from this bill. If that were to happen, would that reassure the fears your members have and allow you to be in your classroom Monday morning?

Ms Reid: I believe there are more issues than one. Because we're a local association, I wouldn't have the power to even begin to answer your question and to say that's possible. But I can tell you how we feel, and how we feel locally is that the centralization of power to the government is something our members are looking at very seriously, and I think they would need to see some change.

Mr Lessard: You don't strike me as an overly militant sort of person and feel as though you're being led down this path on Monday by your union leadership. It seems as though, and you've expressed this, this decision is a painful one for you to take. I hope this government takes our suggestion to appoint an independent facilitator to try and avoid this happening on Monday morning.

The Chair: Thank you very much, Donna, for your excellent presentation.

LONDON WOMEN TEACHERS' FEDERATION

ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION OF LONDON

The Chair: Our next presentation will be the London Women Teachers' Association, Marion Holgate, and Mike Moffatt of OPSTF of London. Welcome.

Ms Marion Holgate: Good afternoon. My colleague and I have made it with about three minutes to spare. Collectively, we represent approximately 1,800 elementary teachers for the London public board of education.

Since coming into power, the Harris government has repeatedly disrupted the education system. Already, a billion dollars has been cut from the Tory educational budget. The result: loss of junior kindergarten programs, larger class sizes, fewer textbooks and supplies, a cut in music, art and drama programs, loss of library resources, cuts to special education, and much more. Contrary to their propaganda, Bill 160 is the Tory attempt to take away more resources and further weaken the educational system.

Mike and I consider that one of the most dangerous and anti-democratic aspects of this bill are the regulatory powers cited in a number of sections. Far too many issues in this bill are left to regulations. Indeed, some of the regulations override the Education Act. The heavy reliance on regulations seriously undermines public debate and the role of elected MPPs in the democratic process. Acts are debated both in the Legislature and in the public in general. Regulations, on the other hand, are approved by the cabinet and made public after the fact. We maintain that regulations must not be used in order to evade open democratic debate. Regulations must be the exception rather than the rule.

The regulations being contemplated in this bill will erode the provisions in collective agreements, agreements that have been carefully and fairly negotiated over a number of years and agreed to by both teachers and school boards. The regulations will remove the opportunity for public input and debate. The regulations will remove the opportunity for duly elected members of provincial Parliament to debate and vote on important educational issues. And the regulations will mean that more decisions regarding education will be made by cabinet rather than by our communities.

One of the regulations that is extremely disturbing to teachers as it impacts on the decertification of our profession is the use of people without teacher qualifications. Bill 160 contemplates employing people other than qualified teachers for certain designated positions that are not teaching positions and duties that are not teachers' duties. I cite section 81 of Bill 160. This government argues that they want specialists in the educational system. Teachers not only have basic training qualifications, but additional qualifications in specialized areas such as primary education, math, reading. I'm an example of an individual with special music qualifications, two post-secondary degrees in that area.

Teachers bring more than specific subject knowledge to a classroom. They know how children learn and how to teach. They know the whole curriculum. They know how to evaluate their students' progress. We fear that regulations regarding employing people without teacher qualifications would be used to weaken the education system.

My colleague would like to address you with regard to our perception of public support for the dismantling and removal of Bill 160.

1500

Mr Mike Moffatt: I think far too often in recent days, weeks and months, and probably over the next short or long haul as we progress into the next week, we get tarred as the big bad boys and girls, the union people of this province, representing 126,000 teachers. I think it's pertinent and appropriate to draw on some of the information we're getting given to us by various sources, and we're not in this alone. We have a group of parents entitled People for Education who are a non-partisan group of parent volunteers from public and separate schools around this province, and I'd like to share with you — if you haven't already heard them, and I think they're worth repeating — some of their comments about their interpretations, non-partisan, not attached to any union representation or union influence.

Bill 160 completely centralizes the education system where local boards will no longer have any power. A central bureaucracy with broad regulatory powers, as my colleague has stipulated, will be created. Normally in far-reaching bills like this, all of the legislation is spelled out in specifics. In Bill 160, there are no details, there are very few specifics.

The Minister of Education will have, if this passes as is, total control over the education system. It means the education system will be in its entirety at the mercy of politics.

In terms of prep time, one of the overriding premises that's driving the existence of Bill 160 is that the preparation time that supposedly is being enjoyed by our secondary colleagues is way beyond the average of the other provinces in this country. It's interesting how the government makes use of information like that when at the same time we, in the Stats Canada figures and the figures pulled out of the United States, are in the 49th — out of 63 — position in terms of the per-pupil expenditures; another driving force behind this bill, trying to legitimize the fact that we're overspending in this province. How can we sit, how can we stand, how can we write, how can we endorse a Bill 160, all 262 pages, based on the premise that we're overspending and that we're way beyond what's reasonable across this province? We're not even close to being number one in Canada in terms of per-pupil expenditures, let alone number one in the North American jurisdictions that surround us. There is a dichotomy.

The prep time: By decreasing prep time, that's supposed to increase the quality of education for our students. When Marion or I, as classroom teachers, which we were before the roles we're now involved in, were not with the class somebody else was. So it's not like our kids, during the preparation time that's supposed to be exorbitant, are being left just to kind of figure out what to do next with no supervision, with no instruction. At the same time, those students we would normally have, while we're enjoying that preparation time to prepare for all the myriad of things that we have to do, are being taught by

specialists. Because I can't sing, I've got somebody teaching music to my kids, as I have had done over the course of years. That person is a specialist.

At the same time we're saying, "Let's bring specialists into the education system," we've got them there now. We have never been opposed to the fact that we would like people to come in and assist us. I've been at it for 26 years. My colleague is probably right around there too. Between us we're talking half a century of experience just sitting at this table. We have never been opposed to people coming in and assisting, but when you talk to somebody and you leave somebody who does not have the training necessary to become a teacher in the very demanding world of professional teaching nowadays, you're talking to somebody who doesn't have a clue about how to manage a class. Believe me, 26 years ago it was a whole lot different than it is in 1997 in terms of the disparity and the makeup of the groups we're dealing with today.

I mention the aspect of funding and taxation. There have been several groups that have made recommendations directly related to the funding model that have not surfaced. Apparently these are being hidden for who knows what reason. They have not been shared with the general public. We're still waiting. The taxpayers of this province — and we're part of that group also — are still waiting for that information and it's not forthcoming.

Those are some of the things that one particular organization of parents concerned about education has made. I'll just make a couple of personal observations, in all due respect to the people in this room and in all due respect to the people who represent us in public. I believe it is absolutely unconscionable that the government of this province would have the audacity to misrepresent Bill 160 as the Education Quality Improvement Act. It has absolutely nothing to do with improving the quality of education for the 2.1 million students in this province. I believe it's deplorable that the elected representatives of the taxpayers in this province would have the gall to lead the general public to believe that there is not a means to an end in order to reduce the deficit at the expense of one of our most treasured societal functions, that being the education of our young children.

The Vice-Chair: Thank you, sir. Your time has expired.

KENT COUNTY WOMEN TEACHERS' ASSOCIATION

The Vice-Chair: The next group we call to the microphones is the Kent County Women Teachers' Association, Ruth Behnke and Mary Haden.

Ms Ruth Behnke: Thank you for this opportunity. My name is Ruth Behnke. I represent approximately 400 women teachers in Kent county as their association president.

I appreciate the opportunity to speak briefly to the concerns that teachers in Kent county have regarding Bill 160. First of all, let me make it very clear that the regulatory powers outlined in section 81 of Bill 160

regarding class size, preparation time and differentiated staffing are unacceptable to the members of the Kent County Women Teachers' Association.

In this board we have endured funding cuts that have affected our students in the classroom for many years. For example, we no longer have instrumental music programs in all schools — no money for instruments. Special education classes are being reduced and special needs children are integrated into classes too large to address the individual needs of even those who don't struggle to learn as much as some. Our teachers rallied and were able to maintain junior kindergarten as an important component to the early-years instruction. But for how long can we keep it? Textbooks and supplies are being shared more extensively than ever. A class set of 15 now has to meet the needs of 35 or more students. We believe in cooperative learning, but this is pushing the limit a bit too far.

In our county, negotiation relations with our board of trustees have been good at the elementary panel level. Our trustees make the effort to visit schools and assess the classrooms in our schools to ensure they are making good judgements when making important decisions affecting the students in our schools. They ask questions. They come to teacher training and professional development sessions to find out more regarding the actual teaching and learning process which is so important. Our new amalgamated board of much fewer numbers, to come into effect January 1, 1998, will not have the luxury of visiting our schools regularly, nor knowing the teachers in the schools personally.

We have negotiated sensibly for the benefit of our students, never a larger class size or pupil-teacher ratio; rather, working conditions that are beneficial to the learning conditions of our students. Our board is notorious for being extremely frugal. We believe the regulatory powers in Bill 160 will hinder us from meeting the needs of the children in Kent county. We are focused on providing the best for the children in our community whose diverse needs vary from location to location and we want to continue addressing those needs as they shift and change.

With me today is a classroom teacher. In my estimation, she is one of the most creative and innovative teachers in our county. She is extremely dedicated to teaching and through her many years of training student teachers in her classroom she has been able to bring high-calibre teachers into the employ of our county. Her perseverance and creativity are endless. Listen to her personal statements about the reality of classroom teaching in the elementary system today.

1510

Ms Mary Haden: My name is Mary Haden. I teach an energetic group of 30 grade 6 students at Harwich-Raleigh Public School in Blenheim and invite you to join me on a typical school day. At 4 o'clock in the morning, my alarm goes off. At 4:15 am I'm in the home office, where for the next three to four hours I am involved in school-related work. Once at the school, there is additional marking,

preparation, a school-based team meeting with principal and resource staff, or an interview with a parent.

At 8:30 you will probably find me out on yard duty or with a student who has come in to access a news service on the Internet.

At 8:45 my students enter and my official work then begins. In front of me are a wonderful bunch of kids, but I know that before I even begin, even with 28 years of experience and a master's degree in education, I will not be able to respond to each child's needs.

There is curriculum with which I have to engage children on both an individual and a cooperative basis. There are personal and social needs that need attention. There are those with identified behaviour problems that will intimidate their classmates and disrupt the flow of learning for all.

During recess and noonhour, when not on duty, you will find me very probably in the classroom with students who want or need to stay in. Two days a week I have no preparation time, and so often, after bus duty, you'll find me rushing down the hallway to the staff washroom, as there has simply been no time to take a break all day. The needs of the kids have again outweighed my own biological needs.

Wednesday from 3:15 to 5:30 you will find myself and a colleague meeting to plan new curriculum units and make adjustments to the plans we had previously developed under the Common Curriculum so they now reflect the as yet unfinished Ontario curriculum.

Evening time presents a quick meal and up to four additional hours of homework for me. In all, 18.75 hours have been spent working on various aspects of my job before my head hits the pillow. I often use my weekends to catch up on unfinished piles of marking, but last Saturday, for the fourth year in a row, I was one of more than 500 anxious customers waiting for Scholar's Choice in London to open their warehouse doors. I had arrived at the site at 6 o'clock in the morning and found I was 24th in line. Two first-year teachers from Windsor had arrived at 4:30. It's too bad you were not there to do some questioning of those who were there.

My husband considered that our budget got off easy this year. I left the store at 11 o'clock in the morning with my total out-of-pocket expenses at \$529. In order to have top-quality manipulatives and resources within my students' reach, it has been my practice to pay for these items myself.

I brought one of my Saturday finds with me today. This roller-coaster from K-NEX will present the kids in my classroom with an exciting challenge that will involve them in many problem-solving opportunities as they work on its construction. The cost? One hundred dollars, and a good buy at that price. My math closet at school currently holds an estimated \$4,000 of material that I have purchased in order to help make a difference in my students' learning process.

I am not alone in this willingness to fork over personal finances for the benefits of other people's children. Look

closely and you will find hundreds of examples within your own counties.

I have taken a personal day today to be here. This means that I pay for my own supply teacher, again out of my own pocket. Bill 160 concerns me and has me scared about what is going to happen if it passes third reading without vital changes.

The Conservative government must act like leaders, not political bullies. Take this message back to Toronto with you: This Conservative government's tactics with regard to Bill 160 have placed this individual teacher's back against a wall. Her voice may be insignificant in the total picture, but she's not moving. I shall not back down in my support of the Ontario Teachers' Federation and I am ready to stand with my colleagues on an informational picket line for as long as it takes. I encourage this government to do what is right and lead. A good leader instills and excites a desire to follow. I await your leadership.

The Vice-Chair: Thanks. That exhausts your time. I wish we had a little more but unfortunately we haven't.

RAY MOREAU

The Vice-Chair: The next group is OECTA, the Windsor secondary unit, Ray Moreau.

Mr Ray Moreau: My name is Ray Moreau. I am president of the Ontario English Catholic Teachers' Association, Windsor secondary unit. I am really happy to be here today. I am not giving you a brief or something written. I think you have probably got quite a bit of that already.

I am going to be speaking to a great extent from my experience as a teacher, as a taxpayer and also as a union president, but mostly my own gut reaction to most of this stuff. Anything I say is me, not anybody else. Mr Carroll will recognize me, I am sure. On Bill 104, when I went to the hearings in Windsor — and feel free to drop in next week if you've got time — I brought my students with me. Contrary to what a previous speaker said, I have a master's degree and I am a political science teacher and I teach political science.

When you come to ask me questions at the end, I have a question for you. You people are the politicians. You're the so-called experts. Therefore, I want to know at the end of this session how many of you want to teach my class next week, all 35 of them, because you are in fact the experts.

There's a great deal of cynicism about this whole process. I personally teach politics. I believed in my heart in the processes we built up in this country for democracy. Do you know what? I don't believe it any more. The government has manipulated this process. I myself, who teach it and believe it and have practised it — and I've been a political backroom boy for many years — and believe so much in the process question the process we're following now because we're running into a stone wall.

When I made the presentations on Bill 104, the Chair of the committee and the committee — the following week

the minister rejected every one of their own recommendations because he was mad, and they even agreed with some of the things that I said. But then the minister just told them and then fired the Chair of the committee. I hope that isn't going to happen to you.

I am very concerned about the process here because this is the reality and it's all within the last few months. I'm not talking about 100 years ago. I am concerned about the political process as much as I am with the political philosophy and ideology that we're faced with.

You know, when you become extreme it doesn't matter whether it's socialism or conservatism. When you go to the extreme of either political philosophy, you concentrate all power in the central body, and that's what this bill is. It doesn't matter. If you check the history of socialism and the history of extreme conservatism, both of them do away with local rights and local democracy and concentrate the power in themselves because that's the only way they can control the population. That in fact is what Bill 160 does.

My first recommendation to you is to go back and tell the minister that we want out of there all those parts of the bill which allow the minister to wake up one morning in a bad humour and change the educational system by regulation and decree. That's the first thing.

The second thing is that you and I both know that we have a College of Teachers which decides what professionalism is and decides what is needed to teach in a particular class. This bill allows the minister, after us spending all that time and energy putting it together — and we're working really hard to develop professional development — to now decide you don't have to be qualified to teach anything. Do you have any idea how demeaning that is to the profession and to the teachers across this province? It's very demeaning.

Because I can play the piano doesn't mean I can teach piano. There is a difference in the skills. You need both. Our teachers are well trained and we have experts in the classroom. The art teachers I know are all artists. They're damn good at what they do. The computer teachers have computer degrees. We don't mind people coming in, but you can't confuse the two. You can come in and help but we don't want you to take our place because teaching and having the knowledge are two different skills. We combine both in our system and we're darn proud of that, contrary to what the government may say.

1520

The next thing, the second recommendation is that you remove, and tell the minister to remove, from the bill all those things that allow him to determine the professional life and what it means to be a teacher, to remove all regulation by decree, because who wants that power? I was talking to one of the people in my building and they said, "We're fed up, we're angry," and this is a retired person. I'll tell you how angry teachers are.

Last Friday, we had the Days of Action in Windsor, and contrary to what the government may say, the union leadership in Windsor, and I'm one of them, did not tell their teachers to walk. In the days of protest, school systems have never been closed before anywhere else. We

told our teachers they could go if they like, and we set it up so that they could. Guess what? They were way ahead of us. Ninety per cent of them didn't go to work. The school system and the boards closed it, not because they wanted to. It's because they had no teachers last Friday, they had to close the schools. The teachers and the education workers closed the schools because of their anger at the demeaning comments of the minister and the actions that are in Bill 160.

I'll just make a couple more points. I want to say to you, as Hugh Segal said, the famous Tory guru — and he said this — how the government is dumb to demoralize teachers. It's very difficult for us as teachers to believe that the government really cares about children when it continually demoralizes the people who educate and care for those children on a daily basis. You keep repeatedly telling us that we don't do enough, we don't work hard enough, we get paid too much and, of course, what we repeatedly have heard from this government and the previous is, "What you teach is irrelevant anyway." We're getting pretty tired of that. Teachers are angry, I want you to know that; not just me.

I also want to talk about walking on Monday. I'm sure people wonder how can I be a role model and walk on Monday. I'm going to tell you why I can do that in clear conscience. Number one, I can go to my classroom and teach for three more years and leave. I can do that. But I can't in conscience do that because this is a social conscience decision about my rights as a person in the employ of a school board and local decisions. I want you to know that there are such things as unjust laws. Gandhi and Martin Luther King broke laws. They used civil disobedience because the laws they were fighting were unjust. I say to you here, and I have no qualms about saying it to anyone who wants to listen, that I feel so strongly about what's going on in Bill 160 that civil disobedience is really our only alternative. Some day maybe the people who are reviled in Toronto as these bad teacher union leaders who are forcing us out will be the Gandhis and the Martin Luther Kings of the Ontario education system in the near future.

The Vice-Chair: We have about 30 seconds per caucus, starting with the Liberal caucus.

Mr Hoy: Thank you for your presentation today. We don't have much time here, but I have met a number of teachers who are in a similar position to you, who are very close to retirement. They have determined, as you have, that it is within their own conscience to take the action they do on Monday. It would be very easy for them to go two, three, four, five years and simply retire. It's a difficult decision and I've met many who are in the same position as you and I appreciate your resolve.

Mr Lessard: Thank you, Mr Moreau, for making a presentation. We've heard from group after group this afternoon their reluctance in having to face a possible walkout on Monday and we hope that can be avoided. We've suggested that an independent facilitator be appointed by this government to attempt to avoid that. Do you think that would be an act of good faith that teachers

may take into consideration to try and avoid this happening on Monday?

The Vice-Chair: Thanks. That's the time. The next question?

Mr Moreau: Can't I answer?

Mr Carroll: As a union leader, you've rationalized in your mind that breaking the law is okay. Have you given your fellow teachers the right to express their opinions through a secret ballot?

Mr Moreau: If I may, that question does come up quite a bit. You're a representative. We have a general meeting where we have delegates on a proportional representation basis, the very same thing as you people; you represent thousands of people. There were 700 delegates last March in Toronto and the motions over my desk at all times unanimously said, without one, single divergence, that if the government was to interfere with our rights we would walk.

Mr Carroll: A secret ballot?

The Vice-Chair: Thank you very much. The time has expired.

Mr Moreau: We didn't have to have a secret ballot.

Mr Carroll: Every strike has a secret ballot.

Mr Moreau: Do you do a secret ballot every day in the Legislature? No, you don't.

The Vice-Chair: Excuse me, your time has expired.

Mr Moreau: You don't do a secret ballot every day in the Legislature. Are you representing all the people in your riding?

Mr Carroll: I'm not breaking the law, sir.

ROBERT VAUGHAN

The Vice-Chair: I call Robert Vaughan. You have 10 minutes to use as you see fit.

Mr Robert Vaughan: I would like to thank the committee for this opportunity to speak. My name is Robert Vaughan. I'm a trustee with the London Board of Education; however, my comments and suggestions are my own and do not necessarily reflect those of the London board.

Before I get into my recommendations regarding a specific aspect of Bill 160, I would like to make a general statement regarding education accountability and quality, two things which are the focus of Bill 160.

Over the past 30 years or more the bureaucracy which makes up public education has grown to the point of collapse. Expenditures have begun to be greater than the taxpayers' ability or willingness to pay and the players involved, from school principals to directors to trustees, have become victim to some sort of ideological inbreeding, where those who dare to think for themselves or criticize the system are at first ostracized and then eliminated or, to put it another way, chewed up and spat out.

There can never be any degree of accountability in public education without some degree of choice. As long as parents are not free to make choices regarding the education of their children, that is, without incurring the

financial hardship of continually paying education taxes to a failing education system, then the public education monopoly has no incentive to be accountable. It will continue to do whatever it can publicly get away with, knowing full well that there are no alternatives for that so-called "stakeholder" or "partner," the parent.

Regarding quality, public education has been at the mercy of large-scale political experimentation with curriculum for generations. I happen to agree with the latest trend towards higher standards and a greater use of phonics. However, the current government and ministry bureaucracy will not be in power forever and when they go another group of well-intentioned souls will try to reshape education in their ideological image. Quality will always remain a distant dream as long as parents and students are at the mercy of the political party of the day.

So here we sit having yet another kick at the can of public education. I'll have to resign myself for the moment that what we have here in front of us today in the way of Bill 160 is as good as it's going to get for the next year or two. That being the case, I have one or two recommendations.

It is my understanding that the establishment of senior staff positions and the creation of new district board offices will eventually be left up to the new district trustees. If this is the case, I believe there will be several decisions made at the district board level which will needlessly cost taxpayers several tens of millions of dollars within our board alone. I would like to outline some of those potential decisions in hope that the government can perhaps prescribe remedies within Bill 160 to pre-empt them.

On August 25, the local education improvement committee for district 11 made several recommendations to the EIC and the new board concerning senior staff and board offices. Among those recommendations were the establishment of the following positions: six senior superintendents, including a superintendent of transitional issues, to be filled by the current director of one of the amalgamated school boards; three associate superintendents, one each for business, human resources, and program; nine associate superintendents of education to supervise the schools.

1530

I have a great deal of difficulty believing in the necessity for a superintendent of transitional issues, especially when it may involve paying the equivalent of a director's salary. Transitional issues could and should be dealt with by the director of the district board.

I have a great deal of difficulty believing in the necessity of any associate superintendents of business, human resources or program. Regardless of the number of schools, pupils or staff, superintendents of business, human resources and program will have the same job description and the workload of these positions will hardly change at all.

Whether or not a board has 5,000 staff or 6,000 staff, the job of the superintendent of human resources will remain the same. Whether or not a board has 50,000

students or 60,000 students, the job of the superintendent of program is not going to be any more difficult, certainly not more difficult to require two superintendents. As well, with the province removing the board's power to levy taxes, the job of the superintendent of business/treasurer will become that much easier. No associate superintendent of business is required.

If these recommendations are approved by the EIC and subsequently by the district board, these superfluous positions will cost the taxpayers millions of dollars in the form of salaries and benefits for the superintendents and their personal staff, and in the form of office space required.

To quote from the LEIC's press release, "The recommendation for the senior management team represents a reduction of three superintendents, or 14%, from the total number at all four boards." So for all of the government's efforts at saving bureaucratic costs through amalgamation, the LEIC is recommending the elimination of only three senior superintendents.

Another recommendation from the LEIC which causes me concern is that four community education centres be set up in district 11. While I have no problem with setting up an individual office for rural school superintendents in each of the counties, I believe it may be the intent of this recommendation to maintain the actual buildings now housing the three county boards of education. Judging by past practices and past discussions with London trustees, there is no motivation for boards to relinquish assets to the provincial government. They believe, and probably quite correctly, that if the board offices are not kept in the hands of the district board, then the province will assume ownership and the proceeds from any sale of these buildings will revert to the province and not to the district board.

The recommendations regarding the four offices, coupled with the recommendations of only a 14% reduction in senior superintendents, can only lead me to conclude that little will be realized in the way of savings due to amalgamation unless the provincial government takes action.

It is within the power of this committee to recommend to the Minister of Education that clauses be placed in part II.2 of Bill 160 to ensure that every effort is made on the part of the EIC and the new district boards to reduce superfluous senior management and sell off unused board buildings. Perhaps as an incentive for district boards, and considering that many of the tax dollars spent to build the board offices came from local ratepayers, it would be reasonable to allow district boards to keep a fair portion of the proceeds from the sale of board buildings.

As for keeping on senior staff in unnecessary positions, I would recommend that a formula be worked out prescribing the exact number of superintendents needed to do the job of administering school boards.

Once again, I'd like to thank sincerely the committee for its time and attention.

The Vice-Chair: We have time for a brief comment from each caucus, starting this time with Mr Lessard.

Mr Lessard: It doesn't appear as though they're going to be able to find the savings in reduced administrative costs that this government is talking about. It only leaves, I believe, one other area for those savings to come from. I wonder if you agree or disagree with that.

Mr Vaughan: I would agree. However, the blame does not rest with the provincial government; it rests with trustees and administrators if they recommend that all of the people and the senior staff from the past boards are kept on in superfluous positions and buildings are not sold off. In other words, the province is going in the right direction with amalgamation in this case; however, it is stymied by trustees and board administrators who just don't want to go.

Mr Froese: From your comments, it looks like you would agree that more parental involvement could be involved at the local level and then some of these issues could be drawn and you'd have direct input into what you're talking about here. Could you give us some advice, if you see that as a need for stronger parental involvement?

Mr Vaughan: I'll tell you first off that the ideal in my situation would be for the government to start things like charter schools, voucher systems, directing taxpayers' dollars to the schools of their choice. However, since that may be a few years off, if at all, I would suggest that —

The Vice-Chair: Thank you. Time has expired.

Mr Vaughan: Empower school councils.

Mrs McLeod: I had taken from your brief, actually, that you might be more comfortable with parental choice being achieved without the role of school boards, which in your view have not been effective. Why do you think the government is leaving them in place at all?

Mr Vaughan: I don't know. As a matter of fact, I presented to Bill 104 and I suggested that they dismantle school boards completely.

The Vice-Chair: Thank you very much for your presentation. We appreciate that

JENNIFER STILSON

The Vice-Chair: The next group is Leesboro Home and School, Jennifer Stilson.

Mrs Jennifer Stilson: Hello. My name is Jennifer Stilson and I'm here today to speak on behalf of concerned parents in rural southwestern Ontario. We, as parents, have grave concerns regarding the upcoming illegal strike action the teachers of Ontario are prepared to take.

A recent full-page ad has appeared in the London Free Press entitled, "Is Bill 160 Moving Too Fast?" The ad was funded by Ontario teachers. The ad leads us or wants us to believe that a billion dollars will be cut from education, that there will be fewer teachers, less time and individual attention for students, unqualified people replacing experienced classroom teachers and loss of control for parents and teachers.

We should not be blinded by the onslaught of the federations' negative media. Unfortunately, as parents we do not have a large union behind us that can afford to run

ads like that, buy high-priced time on radio and TV, but we are very thankful for a forum such as this today so that we can get our message out.

All of corporate Canada over the past several years has been taking part in belt-tightening and cutbacks. Most Canadians have had part of these cutbacks take place in their homes. Some of us lost hours, wages, benefits, and some their jobs. We see no reason why dollars should be not be cut from an ever-failing education system by means of salaries, benefits, pension packages or high administrative salaries.

There is not one aspect of our daily life where we do not expect to get the best value for our money. However, our education system is not producing these results at this time. We pay more in Ontario per student than other provinces and it has been proven time and again that we just don't score as high on international and national testing. As parents, we feel changes to our education system are long overdue and now is the time to capitalize on our educational dollars. Bill 160 will help us reach those goals. Back to basics is where we want our education system to head. For Mr Johnson and this government, now is the time to set our children in the right direction.

The statement is put forth by the federations that teachers will be replaced by non-teaching staff. If we looked at this in a positive light, it would really not be such a bad idea. Would it be so bad to have guidance counsellors who were non-teaching staff? The same could be applied to librarians. Why shouldn't we use the expertise of these teachers as classroom teachers, when they could be in a full-time teaching position and not wasting their talents in a non-teaching position? Non-teaching specialists should be brought into our schools. They can offer various skills and experiences from their respective areas of expertise. In reality, as we all know, in many schools there are non-teaching staff assisting on a casual basis. To date, there have been no reports of these professionals jeopardizing our education system but only enhancing it.

Should these changes initiate excess positions, then welcome to the real world. Again, all of corporate Canada has had to downsize and feel the blow of cutbacks and these cannot be avoided any longer.

Should the government decide the limit of class sizes? This issue has been blown out of proportion. Nowhere in Bill 160 does it state that classroom sizes will grow to the reported 40 or 45 children per classroom. We have to look at this in a mature nature and not instil fears in the public, who do not research the untruths that are thrown at them through the media. This type of fearmongering is totally unacceptable to me and to other parents and is simply a union ploy to have the uninformed on their side.

Unfortunately, with the media attention at an all-time high, our children are getting confused between what their teachers are really about and what the unions and federations say they want and feel. We as parents feel a very poor example and message is being sent to our children. Many of our kids admire and emulate their teachers, and

rightly so. That's what we want. We want our children to respect their educators and to know what they stand for. However, what kind of message are we sending to our children that should they not get their own way, it's okay to take whatever action they deem necessary, even if it is illegal? That's just too much for me. I feel the way the federations are handling this issue is not in our children's best interest. These are not the type of role models I want for our children. All of us here today can remember a teacher who impacted very positively on our lives. They helped shape our lives, and that's what I want our educators to do.

1540

To go forth with an illegal strike is definitely sending a contradictory message to today's students, especially when problem-solving skills are being taught in our classrooms and our school yards daily by the very same people who are listening to a federation that says, "If we don't get our own way, we will strike." That sort of juvenile behaviour is not acceptable in most of our homes or schools, so why do the teachers' unions feel they are above the rest of us? The old adage of "Do as I say, not as I do" is quickly coming to the forefront in this situation. Many times it has been stated to parents that we have to lead by example and I feel this is the same for our educators.

What concerns us as parents is that it has been stated repeatedly by the federations that this action is for the kids. I really don't know where our kids fit in collective bargaining. The federations feel collective bargaining is a basic right. What about the basic constitutional right of our children to an education, an education that should not be riddled daily with strike talks and concerns that have no place being in our school hallways, let alone in our classrooms? Our children deserve this right, and to say that the bargaining for power has anything remotely to do with our children is an absolute joke, a joke that will not leave any of us laughing in the end.

Let Bill 160 work. Only by living with change will we see whether or not it is making a difference. Bill 160 was not thrown together overnight. Much of what is contained in Bill 160 is what parents want to see back in the classroom and what we voted this government in to do. We urge Mr Johnson and your government not to overcompromise on Bill 160 for the sake of a settlement with the federation. To do so would see the loss of an opportunity to significantly improve our educational system, an opportunity we may never see again.

To conduct an illegal strike would be very costly and goes against the very concept of right and wrong. Please get on with it and leave our children out of this dispute. Parents are getting very tired of this game. Let's get the education dollar back to the classroom so our teachers can do the job they were hired to do: to equip our children with the knowledge, skills, tools and resources they will require to face the challenges of an ever-changing, high-tech world.

We must come together as a team with the ability to work together towards a common goal, which is improving

our children's education system. Coming together will be the beginning; keeping our goals focused together is progress; working together is an actual success. One has to look at change with an open mind as it affects not only teachers but every individual in daily life, for change has to be looked at as though it is a bend in the road, not the end of the road. Unless we fail to make the turn, change can be beneficial if given a chance. The future of our children is at stake. Let us not throw away this chance, a chance we will never have again, to make their lives better.

I wish my kids can be part of a group that will be one of the better-educated children of Canada.

The Vice-Chair: Thank you. We have a very short minute per caucus. On the government side, Mr Smith.

Mr Bruce Smith: Thank you for your presentation. We've had a lot of input with respect to the role of parents in the school community. Where is your comfort level in terms of decision-making as it applies to decisions within the school community, your level of comfort in terms of the types of decisions, as a parent, you would like to make within that school?

Mrs Stilson: Personally, as far as parents go, I would like us, through parent councils and our home and schools, to be able to speak to our educators. I'm in an area where I can phone our board office and voice my opinions quite freely and they are heard, and the same with my MP. I would like parents to have a fair stand on this, or say in what is going.

Mrs McLeod: I won't ask you your views on the further \$667 million of cuts that are intended in education because I think you made it clear at the beginning of your brief that you think there can be some further cutbacks.

The question I'd ask you, though, in terms of cutbacks that mean fewer teachers, do you not see that the jobs of teachers and the numbers of teachers we have in our schools are related to the quality of our children's education?

Mrs Stilson: I do. With cutbacks, I am one of the parents who does believe that JK could be an area where we could save money. I am not personally, as a parent, wholeheartedly in agreement with that. That's an area where we could cut money, so that would displace teachers, unfortunately, if JK was eliminated from our program; the same with non-teaching professionals.

I believe that as far as guidance, library, some music, sports — at our school we do not have a physical education teacher for our students. I feel if we could have a non-teaching professional in teaching our kids physical education that would be fine with me because then that child would be getting the best possible physical education instruction.

Mr Howard Hampton (Rainy River): You don't think junior kindergarten is necessary.

Mrs Stilson: No, I don't. I have had two children, both in the system now. One child went to JK, and for the second one, JK was not available through our board. I have seen no benefit from my first one going to JK. If anything, my second one seems to be just that much faster

than the first one. I think, for some of the kids, it is just too much for them to handle at that time and I don't really feel it's necessary with the way our educational system is now and dollars. We need the best bang for our buck, so to speak.

The Vice-Chair: Thank you. The time has expired for your presentation.

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
KENT UNIT

The Vice-Chair: At this time I would like to call on OECTA, Kent unit, Mike Chater. Go ahead.

Mr Mike Chater: I'm going to make this very brief and very much to the point. I never got involved in federation work in any way, shape or form to see us at the point we're at now. I never dreamed in my career, and a third of my career has been involved as a federation president, that I would ever be involved in anything of this type that we're involved in now.

We could all sit here all day and talk about who is right and who is wrong. I could give you a written brief and you could look at that written brief and all that could happen, but the reality is there's just too much anger now. It's gone way beyond the ability of people to come to a solution, with all this volatility that is in the air.

I am urging, and my urging is very simple: I think we need some time. I think the minister said we needed time. The only way we're going to get time at this point is to withdraw — and I'm not asking you to back off on Bill 160 and I'm not asking for the status quo. I'm asking that the sections of 160 which are causing the type of activity that's going to happen in this province on Monday be withdrawn for now; that the minister, who is new, who's only been on the job for such a short period of time, be given time to go through his portfolio; that everybody get a little bit of time to cool off a little. That's both sides, us and the government. Let's slow down the rhetoric a little bit and then come back to the issues.

I think that last night, as I heard the Premier, much of what he was talking about in terms of quality and the desires of quality, many of the things he was talking about that he wanted to see in our education system, I as a parent and a teacher couldn't argue with. I don't consider myself a special interest. I'm a parent; I'm a teacher; I'm a Catholic; I'm a businessperson in this community. I care about this community and I don't want to see the confrontation we're heading towards happen. I think it can be avoided if cooler heads prevail.

That's simply my point: Withdraw the sections for now. Give some time, a cooling-off period. Sit down and continue negotiations. My understanding is negotiations are happening right now and I'm very happy about that. With that, let's see if we can come to mutual agreement on those interests.

I can tell you the teachers in Kent county are not trying to empower themselves to run education in this county.

We have never demanded anything. We have never gone on strike. We have never had a strike vote in our unit. We are not about to go to our board and demand things. We've taken a very different approach here. I know it hasn't happened across the province and I know there are things that have to be changed. Given that, let's all cool off a little bit and continue the schools going.

1550

The Vice-Chair: That gives us quite a bit of time for each party. It starts off this time with the Liberals.

Mrs McLeod: I gather from your presentation that although Kent county teachers have taken a very different approach and that you have never even contemplated job action before, unless there are some changes in the government's position before Monday morning, your colleagues will be supportive of the action so many teachers across the province feel they have to take.

Mr Chater: Jack Carroll, our MPP, and I have spent quite some time together discussing this. We really believe that school boards and teachers, at least in Kent county, have worked well together in operating the school system. We believe there has to be some local control of education.

I don't question that there are problems in all the areas. There are always problems. That's what you get elected for. I served on municipal council for a long time.

I'm sure everybody in this room has one motivation: to do good for the province of Ontario. But I think there has to be some local input in that. I really thought as a local politician that I performed a valuable service, understanding that I had to work within the parameters of the province of Ontario and that I only had a limited amount of power to work with. I think that still needs to be had. That's my fear about 160. It centralizes power so much that in the end everything will run centrally.

I notice the Premier last night used 1985 as a starting point when he said things began to change. Well, 1985 was the year we began to change. We had 40 years of government — it doesn't matter the party — and then we began to have ongoing change. Each party had its own point of view and put in its own ideas. We've had some ups and downs during all that time, and teachers have not always agreed with all those ideas and changes that have come about, but we've had some input.

If you're going to have change, let's not sway it all the other way. There's got to be some place in the middle in all this where we can find some mutual and common ground. I'm not the negotiator in Toronto and I know it's difficult for them. That's why I'm hoping that you'll take heed and we can pull back a little bit and give people some time to do it.

Mr Hampton: I put a proposal to the Premier this morning that the government should appoint an independent facilitator; that is, bring someone from outside who would work with the Minister of Education and with the teachers' federations.

In effect the government would have to do two things. It would have to agree to suspend any further movement on Bill 160. The government would have to guarantee that

any money found within the education system would be reinvested in our classrooms, not taken out of education altogether, and teachers would have to agree not to move on the political protest on Monday so long as the independent facilitator was working between the parties. Would you agree with a proposal like that?

Mr Chater: At this point my feeling is that there are sections of Bill 160, it's my understanding — you can correct me if I'm wrong — that need to go through because of the new school boards that will be put in place in January, that Bill 160 is more than just education reform, that it also is some form of omnibus bill that has a number of things so that school boards can function.

I am not an expert in what you do. Maybe what I'm suggesting is too simplistic, but I was suggesting, when I said it, that if we could take out the sections of Bill 160 — I'm not asking you to back off because I know politically that's a tough thing to do, but if we took out the sections of Bill 160 that are causing the confrontation that will happen on Monday across Ontario and give some time to negotiate, perhaps that would alleviate the Monday situation, perhaps lead to some discussion.

The kinds of things you're suggesting might come from that discussion. I perhaps wouldn't put as many parameters as you're suggesting on it because my main goal would be to avert the action that is going to happen on Monday if we proceed on the road we're proceeding on now.

Mr Carroll: Good to see you again, Mike. Last week I met with all the teacher federation heads in Kent county and then you and I had a separate meeting and we agreed on a couple of issues that are key to the concerns of the teachers in Kent county. I put those in the letter I sent to you. All the other teachers' federations I understand looked at that letter. I sent the letter to Dave Johnson with my comments, "I accept these as valid concerns expressed by our Kent county teachers and ask that you keep them in the forefront as you work towards a solution that benefits our kids." I talked to Dave Johnson personally. We've had some discussions about these. Dave Johnson talked to the teachers and he said: "We've got a couple of months here. Bring me your ideas. Let's talk about this."

The line in the sand, Mike, as I understand it, was drawn by the teachers. You are the people who said, "We're going on strike on Monday." You say, "Cool it and let's get on with some more discussions." You and I have had them. I've had them with Dave Johnson. We didn't call the strike. You folks called the strike.

You and I have some agreement on this. Have you given the people in Kent county an opportunity, through a secret ballot, to say: "We don't want to walk off the end of the cliff with the people in Toronto. We want to stop and get into some serious discussions about this so we can avoid the strike and do what's best for our kids"?

The Vice-Chair: The time has expired unfortunately.

Mr Carroll: I'd love to hear him respond to that.

Mr Chater: I don't mind; it's up to you.

The Vice-Chair: A real quickie.

Mr Froese: Mr Chair, on a point of order: Could we have unanimous consent for him to respond to that question?

The Vice-Chair: Can we get that unanimous consent for a response? Yes. Okay, 30 seconds, if you can, please.

Mr Chater: It's hard in 30 seconds. I guess my point is, Jack, you're telling me it's the teachers who have drawn the line, and teachers' federation presidents tell me you drew the line. I think that if sections of the bill could be put in abeyance for some period of time, when there would be time to negotiate, we'd have a lot more time to discuss these things.

Frankly, I could point fingers at you and you could point fingers at me all afternoon. What I want to do is see something that could happen that will avert some kind of action on Monday.

Second, I have had no problem ever if our teachers want to vote. We're meeting right now, this afternoon. If somebody puts a motion on the floor that they want to have a vote, we'll have a vote. If that makes you happy, I'll suggest you suggested it and they can vote. All our teachers will be there. I'll give you the results, Jack.

The Vice-Chair: Thank you very much for your presentation.

Mrs McLeod: Mr Chair, on a point of order: I know Mr Carroll wasn't present at the committee yesterday when there was a motion placed before the committee which would have allowed exactly what the last presenter has suggested: that those parts of the bill that are the focus of the current confrontation that appear to be unnecessary in terms of the January 1 date for implementation of some of the measures to deal with amalgamation, just those measures, would be withdrawn to avoid the confrontation on Monday morning. This committee could then proceed to deal with the rest of the bill.

The committee did not accept that recommendation. It was defeated by the members. But it might be appropriate, if you feel there should not be a line in the sand, to replace that motion.

Mr Carroll: On the same point of order, just quickly, I wasn't here to vote on that. I would have voted against it.

The Vice-Chair: I don't know whether that's a point of order.

Mr Carroll: I'm answering Mrs McLeod. I would have voted against it. I still say the line in the sand was drawn by the teachers' unions.

1600

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
LONDON-MIDDLESEX

The Vice-Chair: The next group is OECTA, London-Middlesex. If you would identify yourself for Hansard, your time has started.

Mr Tony Huys: My name is Tony Huys, and Jerry O'Connor is here. We're here on behalf of the London-Middlesex unit of OECTA. We're 1,000 teachers. We

teach in JK through grade 13 OAC, and adult education classes, in London and Middlesex. We welcome this opportunity, brief as it may be, to present at least some concerns or some views on Bill 160.

You are aware, as we are, that both OTF and the Ontario English Catholic Teachers' Federation have already submitted much more extensive briefs than we can do here in the few minutes we have. We don't intend to repeat everything they've said, but we want to be on record as supporting those two federations.

Even the quick look we've had at the bill suggests that one of the criticisms of teachers has been that we have been unwilling to change. I would point out that the OECTA brief contains nine statements of support, 16 statements in opposition, makes eight specific recommendations for alternatives in other areas, and concludes by making 32 summary recommendations. I would submit that we have at least attempted to be proactive in responding to Bill 160 and I want to dispel the notion that all we have wanted to do is fight for the status quo.

What we would like to do this afternoon is focus our comments on one particular aspect of the bill. In the brief time we have been here, I have heard some other speakers address some of the same issues, but primarily our concern — not only ours but that of parents, ratepayers and indeed some senior students who are alert to what is happening in the current climate — is that Bill 160 represents a tremendous concentration of power in the hands of the Lieutenant Governor in Council, unprecedented in the history of Ontario, certainly unprecedented in the history of Ontario education.

The Lieutenant Governor, for example, will determine what positions are not teaching positions, what duties are not teaching duties, will prescribe minimum qualifications for said positions or duties. We're not convinced the Minister of Education and Training is the best qualified, the most suitable, the most appropriate person to determine what the grade 3 class in Teeswater should look like, or in Thamesford or in Thedford or in Toronto for that matter. We think that decision properly belongs to the local parents, properly belongs to the local school community, and we think they are intimately more qualified to address those concerns.

Despite government claims that parents will have a greater voice in education through the instrument of school councils, we're intrigued by the almost total absence of any specific terms of reference for said councils. In fact the minister will determine what the councils will look like. Their powers are not specified. We all understand that the ultimate power in any game is the power of the purse, and school councils certainly have no voice in that matter. Our fear is that we have created, in the form of school councils, lions without teeth and that the real power will rest in Toronto with the Minister of Education.

Even statutes are no guarantee. Even statutes will not stand in the way of this power. The minister, or this bill, reaches back 350 years to the good old days of King Henry VIII to ensure that if there is a conflict between regulation and statute, indeed the regulation will prevail

over the statute. Law is no guarantee here and we find that frightening — nor do we think it's necessary. One of our members suggested that this smacks of what he called the EWMA clause. We turned to him and said, "What are you talking about?" and he said, "I'm talking about the Educational War Measures Act" — government by regulation.

To suggest that such a concentration of power in the hands of the minister is the only way to bring about reform in education is worrisome and a grave change in the way decisions are made in this province. We know from our study of change theory and the literature on that, that's not the way to effect change. We know that for change to be effective, it must be gradual and include reflection by the numerous participants involved.

We know that change must allow for decentralized decision-making, not just advisory councils but decision-making at the local level. We know that change involves trusting members of organizations involved to act for the good of all. I don't think it would be redundant to say that probably has suffered greatly in the last couple of months. Change must involve participation and change in an organization must be accompanied by support.

I watched, as I suspect most people in this room did, the comments of the Premier with great interest. I was at your policy convention in Toronto on Saturday evening and spoke with a number of your delegates and some of your fellow caucus members. I think the consensus I reached after several hours in that room is that there is very little trust at the moment and that the teachers certainly don't feel a great deal of support. There's nothing in Bill 160 to suggest we're being supported by this government in any way.

In conclusion, we draw to your attention that change is not something teachers are averse to. We want to put that issue to rest, and to demonstrate our point, we have taken the liberty to present you with audio-visual materials. That's our teacher's bag of tricks, right? Here they are. Those are government documents outlining curriculum changes that have occurred well after I began my teaching career, and I point out that I'm past my retirement date as of last month. I started out with a little grey book that was half the size of this, and boy, life was nice and life was simple then, because I had to be on page 13 for November 2 and that was easy. I could teach that stuff with my eyes closed.

These are government documents, not union documents — for those who say that we're ramming a union agenda down the throats of our children and that the unions are controlling the education curriculum. Every single one of those is a government publication. We're not averse to change. We have lived with it. I have lived with it for 34 years now. But you can't do it by giving the power to the minister and then asking me to implement that blue box, green box and yellow box and whatever.

In conclusion, we think the only way to really create effective change is to implement those policies, those practices we have alluded to, and we don't think

concentrating the power in the hands of the Minister of Education in Toronto is the way to go about doing that.

The Vice-Chair: We've got about 30 seconds per caucus. We'll start with the NDP.

Mr Lessard: You never mentioned the impending actions that may happen Monday. I was wondering whether you would support the appointment of an independent facilitator to try and avoid a walkout.

Mr Huys: That's a change, right? We're used to change. Yes, if that can do that, certainly. But I must point out we can't do that if this eight-day or 10-day train is going to proceed apace. I'd have to be stupid to agree to that. I'm not buying a pig in a poke, not after what we've seen, and I don't think our members would.

Mr Carroll: You are the fourth OECTA unit I have asked this question of. Did you give your teachers secret ballot rights to decide whether they wanted to break the law?

Mr Huys: Sir, we conducted that ballot in exactly the same way as you conducted the motions and votes on all the bills I have watched on the CPaC channel.

Mr Carroll: We're not breaking the law though, sir.

Mr Huys: Pardon me?

Mr Carroll: We're not breaking the law and you are. Did you give your teachers a secret ballot right to decide whether they wanted to break the law? Yes or no.

Mr Huys: Sir, our policy manual says you can call for a secret ballot if you wish.

Mr Carroll: Okay, but you don't have to. That's democracy?

Mr Huys: Absolutely.

Mrs McLeod: You raised the issue of trust. You might be interested in knowing that a poll that was released today shows that in terms of who the public trusts for education, over 60% trust teachers; around 20% would trust the Mike Harris government.

The central issue, as the separate school trustees identified, of this confrontation are the parts of this bill that allow the government total power in cabinet to cut \$667 million by cutting teachers. If they would simply withdraw just those parts of this bill, do you think you could be in your classroom on Monday morning?

Mr Huys: I would hope so. I don't know a single teacher who wants to go out, and that includes me certainly. I have spoken on behalf of teachers and I have presented to various committees on various bills, and I don't want to go out.

I should point out I have been 34 years in this profession. I have been out of my classroom once in those 34 years, and that was before the passage of Bill 100, before we had bargaining legislation. We collected resignations three out of four years in a row, and we went out for a week. Now that that's being removed, I'm faced with the same darned problem. For 22 years we have had bargaining legislation; we never went out.

The Vice-Chair: Thank you very much for your presentation. Your time has expired.

1610

ONTARIO COALITION FOR EDUCATION

The Vice-Chair: I call the next group to the microphones, the Ontario Coalition for Education, Bob Cartlidge.

Mr Bob Cartlidge: My name is Bob Cartlidge. I would like to introduce Mr Sam Sheprak. I'll be giving the presentation this afternoon.

I am appearing on behalf of the Ontario Coalition for Education Reform to speak to the issues raised by Bill 160 presently before the Legislature. This bill is a clear example of the old adage that he who pays the piper calls the tune. Upon the amalgamation of school boards, the province has taken over, and is taking over, the funding of education.

There is no question that the responsibility for paying the costs of education will be with the province. It is our submission that it should be able to control and be able to direct and guide the kind of education delivered. It appears at this time that the opponents of Bill 160 are primarily interested in preserving the status quo. It is the position of the Ontario Coalition for Education Reform that the status quo cannot, and must not, be maintained.

At present in Canada various and sundry organizations and studies have shown as follows. The OECD has shown in their literacy tests that upwards of 40% of the graduates in Canada are not able to read a bus schedule. Between 30% to 40% of the students entering first-year university are required to take remedial math and English. The Economic Council of Canada, in its report in 1992, stated that 100,000 students would graduate each year as functionally illiterate students unless a change is made in the teaching system.

Ontario students place at the lowest levels of achievement among the provinces of Canada, even though the per capita spending in Ontario exceeds that of every other province in the country. With respect, this is not teacher-bashing; this is pointing out facts that constitute the status quo in this province.

Rule 160, we submit, takes the first steps towards bringing the spending per capita in line with other provinces in the country. By combining school boards and streamlining the administration, moneys will be saved that can be put to better use in the classroom. By taking over the funding of the school system, inequalities that presently exist with regard to provision of education in the poor, less economically fortunate parts of the province will be eliminated. This is only fair and proper.

In dealing with the amount of preparation time and the length of the school year, together with professional development days and holidays, it is most appropriate that the province of Ontario have control of those issues. At the present time, the province of Ontario, under Bill 160, is suggesting only that the length of the school year be brought in line with other school years in Canada, that the amount of preparation time be cut back to be more in line with teachers in other parts of Canada.

Also with regard to the question of success in teaching children, we submit it is not directly related to the level of spending or to class size. In this regard you can see the *Globe and Mail*, October 22, 1997, for a summary of TIMSS, the Third International Mathematics and Science Study. The primary result that was found there was that there was not a direct correlation between spending and class size and learning.

As indicated by Lord Rutherford, a famous British scientist in the early 1920s, "We haven't the money, therefore we have to think more clearly about what we're doing." For instance, it is best that children learn to read and write as early in their school year as possible. It is possible by a proper selection of curriculum materials to assist children to learn to read and write as early as possible and to do it in a much less expensive way than is presently done in the system.

There was a study done in the United States, Operation Follow Through, a massive study that showed that teacher-directed learning, utilizing systematic phonics, at the earliest grades was the most successful way to teach children how to read and write. The present method of teaching children to read and write is a system known as whole language, wherein children are responsible for their own learning and in which they essentially guess the meaning of words.

When whole language was mandated in the state of California in 1987 and the use of systematic phonics was outlawed, the literacy skills of the children in California plummeted from the top five states to third from the bottom, ahead of the island of Guam and Louisiana.

It is suggested that the proper way to teach children to read and write as early as possible is to utilize systematic phonics methodology. In a 1994 study done for the United States government, the average cost of a phonics program was determined to be \$30.74; the average cost of the whole language program was \$214. That was on a per pupil basis per year. It is suggested that a savings of \$170 per pupil per year for the several hundreds of thousands of children in the earliest grades would have the effect of saving upwards of \$50 million per year. We actually approximate it at \$51 million if there are 300,000 students.

Not only would this be an enormous saving of money, the children would be better taught to read and write effectively and there would be the additional benefit of being able to do away with a lot of the remedial work that has to be done at the present time after grade 3 to try and have children learn to read and write properly. The potential savings in that area could be as much again as was saved in the first place. This is suggested as only one area of study that would be better facilitated by having the province of Ontario better able to assess, analyse and direct the educational system.

We have given the previous example to enable this committee to understand that children can be taught in a more effective and responsible manner. We are in favour of the expansion of the school year, as was indicated, by adding time at the beginning of the year and by cutting

back preparation time. But it also has to be related to the quality of the curriculum and the quality of teaching that is going to be carried out.

The regulation of class size and the method of determining the size of classes is of primary importance. But, as indicated in the TIMSS study, that is not as crucial as you might want to believe, or even people in the public might want to believe. With the proper adjustment of preparation time and the move of teachers in administration perhaps back into the classroom, coupled with curriculum reform, class size probably would not increase but might actually decrease.

We also want to deal with the hue and cry raised by teachers that without Ontario College of Education qualifications people should not be allowed to teach. We submit that there are a number of teachers who are already in the school system, have been in the school system for a number of years. They are primarily found in the technical schools, but these teachers have a very precise knowledge which they can impart to their students and which will allow them to move into specific jobs. This practice has been carried on for a number of years and perhaps should be expanded.

Finally, we feel compelled to point out to the committee that the teachers' unions have taken a very loud stand against Bill 160. We point out to the committee George Bernard Shaw's famous dictum: "All professions are a conspiracy against the laity." By this statement, Mr Shaw indicated that the interests of the professionals are, by definition, opposed to the interests of the ordinary person, who we submit in this particular case are the parents, children, taxpayers and ratepayers in Ontario. We submit that the teachers primarily are interested in maintaining the status quo and we suggest that Bill 160 is the first good step towards changing the status quo and making the educational system more responsive to the parents, children and taxpayers of Ontario.

The Vice-Chair: We've got less than about a minute, if you would like to add a little bit more and round out the rest of your time.

Mr Cartlidge: Primarily, we would like to see — how do I say this? — the thrust of Bill 160 carried through, pure and simple. As I say, our group and the people that we talk to are in favour of Bill 160, and for the reasons set out. It's definitely going to require a great deal of work. It's definitely going to take a great deal of attention. It's going to require, perhaps, almost a superhuman effort, but it can be done. It just has to be done more intelligently and more properly.

The Vice-Chair: Thank you for your presentation.

1620

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION, BRANT UNIT

The Vice-Chair: Next we call on the OECTA, Brant unit, Cheryl Hasler. Welcome to the committee.

Ms Cheryl Hasler: Thank you. My name is Cheryl Hasler, I think. It's been a little crazy the last few days, but I think I've got that straight. I appreciate the opportunity to be here today. Somewhat surprised actually. I wasn't anticipating a call but we did receive one Thursday, so we're pleased to have the opportunity to make a presentation on behalf of my membership. I represent 425 Catholic teachers in Brantford. We have members from JK through to OAC, as well as occasional teachers.

I'm going to refer to the act as we go through this as Bill 160. I find it pretty tough to refer to it as having anything to do with quality and improvement of education; I haven't managed to make that leap yet.

Listening to the two presentations before me, I find it a little hard to know where to start because Tony stole the thunder. He's so good at it, it's hard to follow that. But hearing the gentleman who followed him, I can hear that despite what we keep saying, no one's hearing it.

This old adage about teachers refusing to accept change, the people who support Bill 160 seem to continue to throw that at us and yet, as Tony demonstrated very well, we're faced with change every day and probably more change in the last two years than at any time in the history of education.

I point out that in spite of what's going on right now, which certainly no teacher enjoys, every night this week my members have been attending curriculum workshops trying to get the little bit of in-service that is available to implement the new Ontario curriculum. They're there because they choose to be, not because they have to be. That being said, they'll also be somewhere else Monday morning if that's what needs to happen.

Amid the curriculum overhaul that's going on, Bill 160 has also made recommendations for provisions that are going to slash both professional development time and preparation time for our teachers. In terms of teacher readiness and preparedness for these reforms, those are the two major vehicles we use in order to implement the curriculum that continues to arrive out of Toronto.

The major area I want to touch on to start, since the change aspect has been hit on by some of the other presenters, is the College of Teachers and the relationship that has in terms of qualifications. We find it amazing that at a time when the college is just getting up and running and that we're told that one of its main objectives is to ensure professional standards and high qualifications for teachers, we've got a government that's turning around and telling us that you don't need to be qualified. As long as you have some expertise in a field, you can walk in and run a classroom.

Those of us who have been in a classroom know that's not true. Certainly expertise in a field is important, but teaching is a lot more than simply skill in a field. I can think of plenty of professional musicians, for example, who are very successful but I am not so sure I'd want them in the classroom. This is just one example of the government's efforts to save money at the cost of our students.

That's really what's at the heart of Bill 160. This is all about saving money and providing the government with the tools it's going to need to do that in the future. By the time this bill goes through, if we can't put a stop to it, when change is needed and parents do want to talk to people who have the ability to have some influence, it's going to be too late. There won't be anywhere to go with it.

It's an undemocratic bill, plain and simple. It's given unprecedented powers to a select few in the government, who will have no accountability to the people of Ontario until the time an election is called. In the interim, publicly funded education will have become ghettoized, and the damage that's done is probably going to be irreparable by that time. Public education will be a two-tiered system, one for the poor and marginalized and one for the affluent. We believe the children of Ontario deserve better than that.

The limits this bill places on the scope of bargaining for teachers are undemocratic and they represent a violation of widely accepted collective bargaining principles and practices. The permanent establishment of the EIC to oversee collective bargaining issues is unnecessary and it's an intrusion into issues that belong more appropriately at the local level.

I remember having the opportunity to speak on Bill 104. When we talked about the EIC, we were assured it was just this little committee that was going to disappear when Bill 104 was implemented. Of course, we've all seen now that's not going to be the case. It will be a vehicle whereby the government can continue to push its agenda through.

One of the areas that has upset my members most in terms of this bill is the government's attempt to garner public support on the issue of the school year. As a professional, it's rather insulting, quite frankly. Most of my members are at school, starting in early August, on a daily basis to prepare for their classroom activities for the year. The idea that they're now going to be mandated to show up at the end of August is actually quite humorous, but unfortunately what it's done is play into the worst aspects of the public perception on this issue. Quite frankly, it wasn't necessary. As we all know, the government had the ability to do that under the existing regulations. It's just an example of the government playing games in order to further its agenda.

Locally, the issue of class size has been a very contentious issue for us. We have tried for years to get that placed into our collective agreement. Every year since I began teaching it's been a centre part of our bargaining proposals. Finally last year, after a seven-day strike in January, we managed to achieve a PTR. It's not ideal and it's not the numbers we'd like to have, but we were pretty proud of it. We finally convinced the board that it had to make some move in that area.

To be fair to them, part of the reason, of course, that they couldn't do it earlier is the fact that we're a small board. We're assessment-poor and they don't have the money. But when my members turn on the radio and hear

Premier Harris accusing us of being responsible for large classes, not only are they outraged, they are sickened by the whole thing. I can tell you, right then and there, that was the last straw for any of them who had any doubt as to where they are going to be if the issue is pushed to the final brink.

PTR and class-size numbers are not the fault of teachers and boards. The general trend in Ontario has been towards decreasing class sizes over the years. It was only when funding levels began to be cut in 1993 that we saw that trend change. I would be surprised if anyone could find a situation prior to that where teachers walked in and tabled initial proposals that had larger class sizes in them. Everyone's been forced into the situation we're at now because of the funding cuts this government has moved ahead with.

We certainly have concerns about the regulations that will be given to the government, to the minister, regarding preparation time. I am not going to go through the whole list. I am sure you've heard for days about how valuable preparation time is to teachers.

What I will mention is perhaps how it's important to MPPs, and I'm making some assumptions here. I assume that what you're doing here today is valuable. There are others who might say the only time you're doing your job is when you're sitting in the Legislature. I don't believe that's true, nor do I believe it's true that the only time teachers are working is when they're standing in front of their students. The other activities we're involved with are important. We can only assume that if they're important for you folks when you're doing these types of activities and reading reports and meeting with your constituents, we're not sure why there should be a separate set of standards applied to teachers. Coming from Brant, actually we're not even so sure what the MPPs are doing, but that's a whole other game.

There's no evidence to suggest right now that the massive overhaul of teacher-school board relations that Bill 160 contemplates are necessary. We've shown over the years, of course, that we can settle our differences in almost all cases in a manner that works out to be best for the local stakeholders, and we believe that's how it should remain.

My local board is one that is going to amalgamate. We're going to move from a situation where right now we take about 25 minutes to get from probably our two most distant points to a situation where we're going to see over two hours' travel time. So certainly the issue of transfers is something that my teachers are very concerned about. We have grave concerns about the fact that the EIC is going to have a hand, potentially, in where those transfers may see us go. Someone like myself has particular concerns because I get to go back to the classroom soon. They may not be really happy to keep me close to the board office. I may be in Dunnville soon. We believe those are issues that have always been able to be worked out on the local level and we see no reason why those things shouldn't continue in that fashion.

Just in summing things up, we're not opposed to education reform. We're faced with it every day. We're involved with the changes that happen on a day-to-day basis. We put forward suggestions ourselves. We will work with any government that is going to make changes that will improve education, but we don't believe that's what's going to happen here.

The Vice-Chair: Thank you very much for your presentation. You have exhausted your time. Thanks for appearing here today.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 2, KENT

The Vice-Chair: The next group is the OSSTF, District 2, Brantford. Is it Kent instead of Brantford? Sorry.

Mrs Barb Gundry: My name is Barb Gundry, but I'm from Kent county, not Brantford. I want to make that clarification.

The Vice-Chair: You have two minutes to use as you see fit.

Mrs Gundry: Thank you very much. This government is convinced that it needs to accomplish two objectives regarding publicly funded education. The impact of these objectives is far-reaching and was never articulated in the Common Sense Revolution. Those objectives are to remove control of education spending and taxation from school boards and trustees and to centralize it at Queen's Park, and to control teachers' terms and conditions of employment by regulation so that certain perceived cost items, such as prep time, class size and the resultant number of teachers, will not be negotiable.

The government would have the public believe that educational spending is out of control, that school boards and teacher unions are to blame and that in order to make inroads into the deficit and to ensure that the future costs of education are managed successfully, Queen's Park must control the education purse strings and limit the power of teacher unions to negotiate certain terms and conditions of employment on behalf of their members.

1630

This is one of the reasons why the government has proposed such dramatic and fundamental changes to the way social, municipal and educational services are financed in Ontario. Assume total control of education spending and download the cost of welfare and other services on to regions and municipalities. Educational spending is more predictable and manageable; welfare spending is not. Ultimately, local taxpayers who may have complained about their education taxes in the past will feel the impact. Nothing suggests that these changes will lead to better quality social services or educational achievement.

Along with total control of education finance, the government expects that by closely regulating the working conditions of teachers, the productivity of teachers will

increase, the number of teachers will decrease, the quality of education will improve and the costs of education will go down. Two of those assumptions are correct: The number of teachers will decrease and the costs of education will go down. But with what kind of publicly funded educational system will Ontario citizens be left?

As a teacher, taxpayer and a voter in this province, I want to tell you that I am very disturbed by this government's continued attack on our educational system. Funding cuts and legislated changes to JK and adult ed have already hurt educational opportunities for thousands of our young people.

We do not need a government that interferes with the rights of teachers to bargain for their working conditions and the learning conditions of their students. We at the local level understand these needs and know how to best act on them. The government's latest attack, Bill 160, will not improve the education system in this province.

Moreover, Bill 160's implication that increased time in the classroom in and of itself leads to improved quality is unproven. While time is a necessary component of quality education, it is not sufficient in and of itself. The major decision to be made in relationship to the allocation of time revolves around the quality use of whatever time is allotted as opposed to the extension of time for time's sake. Bill 160 is silent on this fundamental issue. One can only assume, without an answer to this question, the government's motivation is economic as opposed to any serious attempt to improve the quality of education for the students of Ontario.

Using people without teacher qualifications to instruct students in any area is a shortsighted proposal. Teachers know more than just the specific subject matter; we understand how children learn, how to evaluate students' progress, how the curriculum fits together and how to manage a classroom.

Lengthening the school day or the school year will not ensure higher student achievement. What students and teachers need are the resources to make this a higher quality system, not more time in an underfunded system with too-large classes.

Bill 160 is about removing control of education spending and taxation from school boards and trustees and centralizing it at Queen's Park. The bill unnecessarily expands the government's current regulatory authority in an unwarranted attempt to control critical terms and conditions of employment for teachers.

OSSTF does not support the provisions of Bill 160 that remove the constitutional right of school boards to levy taxes locally in support of educational programs which their constituents believe necessary for their children. Furthermore, OSSTF cannot support legislation which removes the rights of teachers to bargain all terms and conditions of employment and places those terms and conditions in regulations.

OSSTF believes that any changes to Ontario's publicly funded education system should conform to the following fundamental principles:

(1) There must be no adverse impact on students and programs.

(2) Every student in Ontario's classrooms must have a qualified teacher.

(3) Teachers must be entitled to have all terms and conditions of employment negotiated through direct and free collective bargaining with their employer.

(4) Local school boards must maintain their constitutional right to levy taxes to meet the educational needs of their students.

(5) There must be a smooth transition to the new district school boards.

Bill 160 is undemocratic. It violates all of the above principles. Bill 160 gives Queen's Park sweeping dictatorial powers over every aspect of the educational system: school boards, funding, school councils, teacher qualifications, the number of teachers and the amount of time teachers have to spend with their students.

Bill 160 is not about improving quality in education, as its title suggests, but about downsizing public education, eliminating programs, laying off 10,000 teachers and replacing teachers with unqualified personnel. Nothing in Bill 160 supports the contention that its purpose is to improve the quality of education.

Even in the area of teacher-pupil contact, the bill provides for an expansion of available teacher classroom time, but in no way provides for extending time with existing students in existing courses. How does that improve the quality of education? The only consequences that one could determine would be the teaching of an additional course with the resultant increase in teacher responsibility for an additional 15 to 40 students. If each teacher teaches more students, then this creates the opportunity for thousands of teachers to be laid off.

Bill 160 raises the red flag of quality education, but it is obvious that the forces at play are economic and far removed from the daily activities of students and teachers in Ontario's schools. Only school board control of a significant part of educational funding and the negotiated guarantees in teacher collective agreements ensure that the quality of education will prevail. Only school board control of a significant part of educational funding and the negotiated guarantees in teacher collective agreements stand in the way of the government's agenda, which is precisely why Bill 160 targets those two areas. OSSTF believes there are alternatives to this authoritarian and undemocratic legislation:

(1) Guarantee, under the control of the local school boards, the funding needed to ensure quality programs for students.

(2) Guarantee qualified, certified teachers in every classroom and learning program.

(3) Guarantee that teachers will continue to bargain all terms and conditions of employment directly with those responsible for teacher working conditions and student learning conditions.

(4) Minimize the regulatory control of Queen's Park and its educational bureaucrats. Reinstate shared decision-

making on educational policy so that students and their programs are protected.

There is no shortcut to a high-quality educational system. I urge you to support the needs of the students in this province. I urge you to support the desire of the teachers to provide a high-quality education for all students. I would like to ask the Minister of Education and Training how we can have a better system with less funding. I demand that the Minister of Education and Training respect the rights of teachers to bargain for their working conditions. I demand that the Minister of Education and Training withdraw the offensive, widesweeping regulatory powers contained in Bill 160. I demand that the government commit the funding needed to ensure a high-quality education for all students in Ontario.

On behalf of the nearly 500 teachers and educational workers who are members of OSSTF in Kent county, I thank the members of the committee for their attention to my presentation.

The Vice-Chair: You've exhausted your time. In fact, you went over by a little bit, but thank you very much. We appreciate that.

1640

COLLEEN WARRENER

The Vice-Chair: The next presenter I have on the list is Colleen Warrener.

Mrs Colleen Warrener: Good afternoon and welcome to the city of Chatham. I hope you and your committee members will enjoy your visit to Kent county. My name is Colleen Warrener. I am here to inform you of my concerns from a parent's perspective about Bill 160. I have a son who is a grade 11 secondary school student and a daughter who is a grade 8 elementary school student.

I will also be addressing my concerns and observations formulated as chair of the school advisory council for 1996-97 at Queen Elizabeth II Public School, Kent county.

Bill 160 takes away local control over schools. Bill 160 is not democratic. Bill 160 provides the Minister of Education with unprecedented powers such as an order in council. It is my understanding that the Minister of Education will no longer be legally required to consult parents, teachers, students, trustees, school boards or anyone else before changing any aspect of education.

In an era of spending accountability, where does the accountability of the Minister of Education fit into the picture? When one body of people is given such sweeping powers and the potential to make changes that will affect all of our student population in this province, where are the guidelines governing the Minister of Education? Where is the democratic process in Bill 160? How does the public lobby the changes made by an order in council? What is the value of a recommendation for action from a school advisory council if there is no democratic legal process that the Minister of Education must be accountable to?

What is Bill 160? I asked eight parents that question last night at the annual Rotary banquet and none of them knew. They knew it was to do with the teachers, but they all said they didn't understand what it was about.

For example, if you were to send a letter home to those same parents and tell them their children's school will be closing next month and their children will be bused to another school, that there will be 40 children per class next month, with disruptive behaviour and special needs children included in their child's classroom, or that their business will be taxed higher due to downloading and the need to pay for education, then you would have their attention, and very quickly.

A lot of parents think this bill is about wages for teachers. Parents have never had to be as knowledgeable about the education system in the past and do not understand what impact these changes, such as Bill 160, will have on the future quality of education for their children. The Minister of Education is not providing adequate information to parents or to the media before passing Bill 160.

The Ministry of Education has made numerous conflicting announcements about changes to the education system which have led to both professional and public confusion. The provincial government has yet to announce a new funding model for district school boards. More recently, reports of a potential \$1-billion further cut to the education system has heightened concern among the teaching community, school advisory councils and parents. How many more cuts will be allowed to the education system? How will the education taxes be spread out over the province to guarantee equality and provide a standard of quality education? How will capital improvements be equalized between amalgamating boards, as well as separate and public boards?

The government is asking us to accept Bill 160, to give them all the power, and they will give us the details later. This is not acceptable. As the standing committee on administration of justice, how can you condone the undemocratic processes contained in Bill 160 with regard to the Education Improvement Commission? What are patronage appointees? Why are they not elected to the position? What are the qualifications to become a patronage appointee? As defined by Webster's dictionary, "patronage" means: (a) the material, help and encouragement given by a patron; (b) the special protection of a patron saint — I like that one the best; (c) the power of putting people into advantageous positions, bestowing privileges etc. "He owed the job to political patronage."

As a parent I do not feel confident that a person can become a patronage appointee through political patronage, and to what advantage to that person? These patronage appointees will have the authority to govern my school, and I have no recourse upon their decisions. I understand in the bill it states, "The orders of the Education Improvement Commission are final and shall not be reviewed or questioned in any court." I do not want my children's education system to fall victim to the whims of

changing government and decision-makers who are not qualified to evaluate the decisions we made.

Please tell me, does the Ministry of Education have a five- or 10-year plan to bring our education standards up to a competitive level globally? Are all the education cuts in the past three years and the future going into improving our education standards? Are we working towards education cuts by downloading the cost of education through apprenticeships in trade, commerce and technology provided by corporate sponsorship? Are we providing Ontario with a skilled workforce that is needed and that will economically stimulate our economy?

Ontario is considered to be behind several other provinces in the quality and/or standard of education it provides and has decided to improve the standard. By raising the standard, this puts all our students on a lower level that they will be obligated to overcome in the next several years. What precautionary measures have been put in place to ensure that a high level of high school dropout does not occur? Where is the tutoring to start this fall which was promised by the government?

These are some of my concerns. I am very grateful to have been able to present them to your committee. I trust that your committee will uphold the democratic process, explain where all the money is going and expose to public view all the changes to be made before Bill 160 is passed.

The Vice-Chair: Thank you. We have about a minute per caucus, starting off with the government.

Mr Froese: In your brief you had stated that the minister would no longer be "legally required to consult parents." Actually, the bill does just the opposite. Parents have been telling us they want more involvement in their child's education, and I do as a parent. I have four children in the public school system and I want more involvement, I want more say, and that's exactly what this bill does. It allows them to have more say. It also asks the Education Improvement Commission to strengthen that role of the parents and to advise us of where they can be more involved.

Can I just get your comments on what comfort level you would be okay with for your involvement and more involvement?

Mrs Warrenner: I have a problem with taking away the rights of people in a democratic system. The Minister of Education would definitely have all power in that statement. That really concerns me as a parent because there are no control factors in that whole system. There is no democratic process, and that's what bothers me. I want to be involved with my kids.

Mr Hoy: Thank you for your presentation this afternoon. I think it's important to note that with Bill 160, cabinet would have authority over 186 different issues. That's centralizing power to a great degree, in my mind, along with some of the points you mentioned.

This is not the first time we've seen legislation that did not allow for appeals or for persons to go to court. This is a rather shocking revelation from the government and is appearing in more than one piece of legislation, and of course should not be appearing here.

Your comments about patronage, and I'll be very brief here: I asked a question when I was first elected in 1995 about what qualified someone to be a minister. The answer was if the Premier said you are, and that's simply it. It was also interesting to hear over the last few days that the Premier can also say, "You are not minister." Thank you for your comments.

Mr Lessard: Thank you very much for your presentation. You mentioned that you have a son and a daughter in school. I wondered whether you are going to be inconvenienced by the impending action being taken by teachers on Monday and whether you have any suggestions you could offer to the government to try and avoid what the teachers feel they're being forced to do.

Mrs Warrenner: I think sometimes if you're pushed up against a wall you have to fight back. If you think that things are wrong — that's how our country is set up — you can speak out and you can say that this is definitely wrong. I was very upset about a rumour I heard — I don't know if it's correct — that the government was going to give individuals \$40 a person —

Mr Lessard: It's true.

Mrs Warrenner: — for children under the age of 13. I think that's absolutely outrageous when we're trying to save money. It's absolutely ridiculous.

The Vice-Chair: Thank you for your presentation.

1650

ASSOCIATION DES ENSEIGNANTES
ET DES ENSEIGNANTS
FRANCO-ONTARIENS
FRANCO-ONTARIAN
TEACHERS' ASSOCIATION

The Vice-Chair: I call the next group, AEFO, Essex secondary, if you would identify yourself for the Hansard record and start your presentation.

M. Paul Lachance : Merci, Monsieur le Président. J'aimerais présenter deux de mes collègues présidentes : à ma gauche, M^{me} Danielle Francis, présidente de l'unité de Kent élémentaire ; et à ma droite, M^{me} Marie-France Boulet, qui est présidente de l'unité de Windsor secondaire.

L'Association des enseignantes et des enseignants franco-ontariens du sud-ouest catholiques vous remercie de nous avoir permis de présenter quelques réflexions pendant ces audiences sur le projet de loi 160.

L'AEFO sud-ouest catholiques comprend plus de 450 membres qui sont regroupés en 12 unités, et nos membres oeuvrent sur un territoire qui s'étend de Woodstock à Windsor, au sein de 26 écoles élémentaires et secondaires de langue française dont plus de la moitié ont moins de 250 élèves.

Nous tenons toujours à offrir à nos élèves une éducation de très haute qualité et nous voulons travailler en partenariat avec nos nouveaux conseils de district, nos sections de langue française présentement, de même qu'avec le gouvernement pour assurer cette éducation de

qualité et aussi pour assurer le succès des réformes de l'éducation.

Tout en commençant, j'aimerais vous dire que nous appuyons tous pleinement la position que notre association provinciale vous présentera la semaine prochaine. C'est pourquoi nous ne voulons pas reprendre aujourd'hui toutes les recommandations de modifications au projet de loi qu'elle vous soumettra. Plutôt, nous voulons tenter dans les quelques minutes que nous avons de vous informer de certains des impacts négatifs que le projet de loi aura sur l'éducation en langue française dans le sud-ouest de l'Ontario.

Je vais toucher trois points qui sont très litigieux et dont nous parlons beaucoup de ces jours-ci : d'une part, le nombre d'élèves en salle de classe.

Contrairement à ce que veut prétendre le gouvernement, le projet de loi ne promet pas de réductions du nombre d'élèves dans les salles de classe, mais vraiment permet au Cabinet, en fait au ministre de l'Éducation et de la Formation, de fixer les nombres comme il l'entend. On sait très bien, puis on est d'accord, que les recherches indiquent que les classes plus petites font une différence. Il était même prouvé que les effectifs réduits favorisent de meilleurs résultats scolaires et ont des effets bénéfiques et durables. C'est pourquoi nous, l'AEFO, avons travaillé depuis plus de 25 ans dans le cadre de nos négociations collectives locales pour maintenir le nombre d'élèves par classe à un niveau raisonnable.

Ce n'est pas en développant une formule à tout usage qui serait créée à Toronto que l'on pourrait s'assurer du nombre d'élèves dans les classes qui serait maintenu à un niveau raisonnable. Je vais relier ça aussi dans quelques instants avec la question du temps de préparation pour vous montrer certains des impacts néfastes sur nos écoles.

On est aussi tout à fait outrés d'entendre que le gouvernement veut réduire le temps de préparation de nos enseignantes et de nos enseignants. Ça va avoir un impact sur la qualité de l'éducation. C'est clair, et cela a été dit aujourd'hui à plusieurs reprises, que le temps que nous avons est essentiel pour nous permettre d'accorder une attention individuelle à des élèves qui ont besoin d'aide, préparer nos programmes d'enseignement, puis plusieurs programmes individualisés, planifier les activités spéciales à caractère culturel, linguistique et religieux, consulter nos collègues, puis aussi assurer une liaison entre les spécialistes du conseil et de la communauté qui sont à nos services.

On sait que la réduction du temps de préparation pourrait vouloir dire une perte de 6000 enseignantes et enseignants dans la province. Mais quand on y pense, puis je vous donne un exemple, si je réduis le temps de préparation de la moitié dans une école secondaire sur notre territoire, ça veut dire la perte de l'équivalent de 1,6 enseignantes ou enseignants, et ça veut dire dans les petites écoles secondaires l'abolition d'un département ou d'un service entier ou la disparition de programmes.

De plus, quand on voit les questions de maximums de salles de classe et de temps de préparation, pensez bien que dans plusieurs de nos écoles élémentaires et second-

aires on doit vivre avec des classes jumelées : maternelle-jardin-première, ça se voit ; quatrième et cinquième années combinées ; une enseignante ou un enseignant qui est obligé d'enseigner de la bureautique aux 10^e, 11^e et 12^e années dans la même salle de classe, ou même de la mathématique au niveau fondamental aux 10^e, 11^e et 12^e années.

Tout ça pour vous dire que le temps de préparation et de contact que nous avons, c'est un temps absolument nécessaire pour être capables d'assurer la qualité de l'éducation et les services que l'on doit rendre à nos élèves.

Permettez-moi de toucher ensuite un troisième point, qui est celui du personnel enseignant ou du personnel non qualifié. Contrairement à ce qu'on veut essayer de nous faire croire, les enseignantes et enseignants sont des spécialistes dans leur matière. Ils savent comment les enfants apprennent, comment évaluer leur progrès, les motiver et gérer les salles de classe. En confiant des postes à des personnes qui n'ont pas de formation en pédagogie, le gouvernement est en train tout simplement d'épargner de l'argent aux dépens de la qualité de l'éducation.

En plus d'être des spécialistes dans leur champ d'études, les enseignantes et les enseignants ont cherché une formation pédagogique dans le but d'être capables de transmettre des attitudes, des connaissances et des habilités. Cette formation est vraiment au cœur même de l'enseignement/apprentissage dans tous les domaines de nos écoles.

On reconnaît que les écoles ne peuvent pas être un milieu fermé mais doivent être des endroits de partenariat avec la communauté. Cependant, la relation dynamique qui est celle de l'enseignement et de l'apprentissage ne peut pas être réduite à de simples gestes. C'est en tant qu'enseignantes et enseignants qualifiés et spécialistes que nous sommes venus défendre l'esprit d'un milieu de vie que nous nous efforçons de rendre le plus enrichissant et le plus valorisant pour tous nos jeunes.

Nos enseignantes et nos enseignants sont polyvalents, dévoués, curieux. Ils ne cessent d'apprendre. Ils s'entraident beaucoup. Ils travaillent à la fois avec les parents, les jeunes, la communauté entière, tout ça sans compter les heures, que ce soit durant la journée de classes, la journée scolaire, après la classe ou même les fins de semaine. Je vous demande, pourquoi est-ce qu'on voudrait détruire ce qui fonctionne déjà très bien ?

En terminant, le projet de loi s'arrose de tous les pouvoirs, et c'est ça qui est le thème central : tout est centré à Toronto, prise de décisions et tout. Nous avons travaillé très fort avec la communauté franco-ontarienne pour obtenir la gestion scolaire. Le projet de loi 104 était pour nous un succès et une grande victoire. Mais en fait, un gouvernement qui est en train de centraliser tout le pouvoir à Toronto et qui se préoccupe très, très peu de la dimension francophone — il ne faut pas oublier que c'est le même gouvernement qui a planifié la fermeture de notre seul hôpital universitaire de langue française.

Nous craignons beaucoup cette centralisation de pouvoir, car elle aura un impact incroyable sur la qualité de l'éducation dans les écoles de langue française. Nous vous exhortons de prendre le courage de dire que si, retirons ce projet de loi, prenons le temps d'y réfléchir sérieusement pour voir quels sont ses impacts réels sur l'ensemble des écoles de la province, et revenons avec un projet de loi qui veut reformer le système de l'éducation, et aussi amener une formule de financement, parce que l'un sans l'autre ne marche pas.

Mesdames, messieurs, merci beaucoup de votre attention.

1700

The Vice-Chair: Thank you very much for your presentation. We have about a minute left, if you want to say one more thing.

Mr Lachance: If you have any questions, I'll be quite happy to answer them.

M^{me} McLeod : — déduction de 667 \$ millions.

M. Lachance : On a toujours déploré les coupures que le gouvernement effectuait au niveau des budgets consacrés à l'éducation, et d'apprendre que le gouvernement tente d'en soutirer un autre 667 \$ millions nous écrase complètement. On se demande, «Comment pourrions-nous faire ce qu'on nous demande, réformer le système de l'éducation, offrir une éducation de qualité, quand les ressources financières qui sont absolument nécessaires pour ça ne sont pas mises à notre disposition ?»

The Vice-Chair: Thank you. Is there another question? If you've got time, I will permit it.

M. Hampton : Monsieur Lachance, combien d'enseignants pourront perdre leur emploi si le gouvernement force le projet de loi 160 ?

M. Lachance : Monsieur Hampton, une réponse bien simple : un enseignant ou une enseignante sur sept pourrait se voir perdre son poste. Pour nous ce serait tout simplement dévastateur parce qu'on est à peine 6000 pour offrir l'éducation en langue française et nous devons, comme je le décrivais, prendre des bouchées doubles et parfois triples dans nos salles de classe, dans nos écoles, pour être capables d'offrir une éducation de qualité.

Nous sommes prêts à travailler fort pour maintenir et améliorer la qualité de l'éducation en Ontario, mais si on se voit diminuer, un enseignant sur sept disparaître, l'impact, vous pouvez le comprendre aussi bien que moi.

Mr Froese: I know you talk in your brief about the non-teaching staff. During these hearings we've heard from parents, students and teachers that more flexibility in having qualified professionals work with certified teachers in certain area subjects like computer technology wouldn't be a bad thing. Could you just comment on that?

Mr Lachance: The comments I'll make on computer technology would be the same that I would make for the people in guidance, in music, in the arts, because it's all the same: Our teachers are qualified. They are specialists. They go to university; they get their training at a university. They become specialists in their area. They turn around and decide the teaching profession is what they want to do, so they go back and get qualified as teachers.

Then they work to get the necessary qualifications to become, in the eyes of the ministry, specialists also.

That's three times that you become a specialist. What more do you want? I've got people who teach music, physics, guidance, all of these areas. They've gone through these three steps of becoming specialists, three-time specialists. What more do we want?

The Vice-Chair: Thank you very much for your presentation.

This draws to a —

Mr Lessard: Mr Chair, I have a point of order that I'd like to raise. I'd like to make a motion that this committee recommend to the Minister of Education and Training that an independent facilitator be appointed, agreeable to the provincial teachers' organizations and to the government, and in the event that a facilitator is appointed, that this committee suspend hearings into Bill 160 until such time as the facilitator completes his or her work.

The Vice-Chair: I'm not sure that you are permitted to make a motion when you have gained the floor by a point of order.

Mr Lessard: I don't know how else I could raise it.

The Vice-Chair: Well, that's the ruling.

Mr Lessard: I don't know how else I can raise it.

The Vice-Chair: They tell me you're not allowed to do that.

Mrs McLeod: How do you make motions, then?

The Vice-Chair: If you just wanted to make a motion, yes, but not as a point of order.

Mr Lessard: Okay. I'd like to make a motion, then.

The Vice-Chair: Okay. To that effect?

Mr Lessard: I'd like to read it again if that's necessary.

Mr Gerry Martiniuk (Cambridge): On a point of order: I believe you've already adjourned. Did I not hear you adjourn this sitting?

The Vice-Chair: The hearings had adjourned, yes.

Mr Martiniuk: I don't see how you can proceed now, Mr Chairman, if this sitting is adjourned.

Mr Lessard: I didn't hear the Chair say that we were adjourned.

The Vice-Chair: I will rule that I said the hearing was adjourned, but I did ask you to speak again. So if I'm putting myself out of position, I guess that's what it amounts to. If you prefer to make a motion, I will take it.

Mr Lessard: Yes, I wish to make the motion that this committee recommend to the Minister of Education and Training that an independent facilitator be appointed, agreeable to the teachers' organizations of Ontario and to the government, and in the event that such a facilitator is appointed, that this committee suspend hearings into Bill 160 until such time that the person completes their work.

The Vice-Chair: We've heard the motion. Is it your wish to have a recorded vote?

Mr Lessard: I would like to make a few comments, if those are in order.

As a committee we are here to hear from members of the public, and we have heard from presenter after

presenter over the past couple of days that no one wants to see a province-wide strike.

Yesterday a motion was introduced to remove sections of the bill which would result in the loss of teaching positions as an attempt to avoid a province-wide strike. That motion was defeated. Another motion was introduced to delay passage of Bill 160 until the funding formula was provided. That was made in an attempt to stop a province-wide strike from taking place. This is really the last attempt that we as committee members have to try to avoid a province-wide strike on Monday morning. I think it is our duty as committee members to do everything we can to try to avoid that that eventuality happens. If we don't do what we can, we're really failing to fulfil our duties.

Mrs McLeod: Mr Chairman, I can almost sense the futility of this, but surely after all we've heard for four days, the idea that there could be an independent facilitator appointed to find a resolution to this so that 2.1 million students aren't facing the loss of their classrooms on Monday morning is not too much to ask people to at least recommend. I don't understand why the government is so dug in and so determined on this confrontation.

If there was any point in presenting motions, I would have presented the motion I have in front of me that we at least commend to the Minister of Education for his immediate attention the brief presented by the Ontario Separate School Trustees' Association today. They clearly are supportive of much that is in Bill 160. They are clearly supportive of the necessity of parts of this bill going ahead in time for the January 1 deadline and the restructuring of school boards. They equally clearly identified parts of the bill that they believe should be taken out but that furthermore can be taken out without affecting the restructuring agenda of this government, other than parts of the agenda that we have not yet had made public.

Why can we not at least, as a committee, recommend some reasonable steps to avoid the confrontation? Why is the government so determined to force this issue?

Mr Hampton: It seems to me the Premier said last night that the government does not want to have a confrontation. If the Premier is true to his word, I think it would be an important step for this committee to recommend to the Minister of Education that an independent facilitator be appointed to sit down and work with the parties.

I believe it should be possible to find an independent facilitator such as a Kevin Burkett or a George Adams or a Vic Pathe who has a lot of experience in this area and who would be able to work constructively with the government, with the Minister of Education and with the teachers' federations to deal with some of the aspects of Bill 160 which are most controversial and thereby find a resolution to what is happening here.

I would think that as legislators this is something we would want to do and that we would want to recommend to the Minister of Education. I would think that not to do that would indicate that a confrontation is wanted, that a clash is wanted.

An independent facilitator will bring a breath of fresh air to this process, I believe will recreate trust and confidence, and, as in many other situations like this in the past, may be able to find a good resolution to the process which both sides can agree with, which both sides may not be 100% happy with but can agree with, and thereby a confrontation can be avoided. So I would hope all members of the committee would want to vote for a process which has the potential, at least, to avoid a confrontation.

Mr Boushy: Speaking against the motion, to me it seems the resolution of this would be to have total respect for this hearing and what we have been doing for the last week or what we will be doing for the next week. The teachers or the federation should wait for the results of the hearings and then make a decision.

Another thing, the minister himself asked for time. "What's your hurry?" he said. "Why are you putting a deadline?"

So the resolution is for the federation to call off the strike and indulge in some kind of discussion, and wait for

the public hearings. That's what the hearings are about, isn't it? Isn't that what the system is all about?

Mrs McLeod: Not when the bill is on the table.

The Vice-Chair: I call the question. Would you want a recorded vote?

Mr Lessard: I'd like a recorded vote, yes.

Ayes

Hoy, Lessard, McLeod.

Nays

Boushy, Froese, Martiniuk, Smith.

The Vice-Chair: I declare the motion lost.

This hearing of the justice committee will stand adjourned until October 22 at 10 am in Sault Ste Marie.

The committee adjourned at 1712.

CONTENTS

Thursday October 23 1997

Education Quality Improvement Act, Bill 160, <i>Mr Snobelen /</i>	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, <i>M. Snobelen</i>	J-2581
Ontario Teachers' Federation, Lambton county affiliates.....	J-2582
Mr Wayne Schultz	
Mr Kenneth Dickson	J-2583
Mr Bob Ernest	J-2584
Peel Board of Education	J-2587
Mrs Beryl Ford	
Coalition of Lambton-Kent students.....	J-2588
Ms Sarah Nelson	
Mr Chris Boyes	
Mr Robert Skipper	J-2590
Windsor-Essex Public Service Coalition	J-2590
Mr Scott Hunt	
United Student Leaders	J-2592
Mr Keegan Boyd, Ms Angela Waterfield, Mr Jamie Bond, Ms Jennifer Holderman,	
Mr Andrew Michailidis, Ms Adrienne MacDonald, Mr Jeff Shaughnessy,	
Mr Matt Davies, Ms Stefanie Kilbourne, Mr Chuck Smith, Mr Chris Sinal,	
Mr Ryan Starkweather, Ms Lindsay Lake	
Gerard Charette	J-2594
Ontario English Catholic Teachers' Association, Essex elementary and secondary units.....	J-2596
Mr Rick Meloche	
Mr Bernie Dupuis	
James Hillier School Council	J-2597
Mr Phil Midgley	
Mr Jon Bruneau	J-2599
Mr Gerald Little.....	J-2601
Ms Ginn Rawlinson.....	J-2602
Ontario Catholic School Trustees' Association	J-2604
Mr Patrick Daly	
Mr Chris Loretto.....	J-2608
Waterloo County Women Teachers' Association	J-2610
Ms Donna Reid	
London Women Teachers' Federation;	
Ontario Public School Teachers' Federation of London	J-2611
Ms Marion Holgate	
Mr Mike Moffatt	
Kent County Women Teachers' Association.....	J-2613
Ms Ruth Behnke	
Ms Mary Haden	
Mr Ray Moreau	J-2614
Mr Robert Vaughan	J-2616
Mrs Jennifer Stilson	J-2617

continued overleaf

continued from overleaf

Ontario English Catholic Teachers' Association, Kent unit	J-2619
Mr Mike Chater	
Ontario English Catholic Teachers' Association, London-Middlesex unit	J-2621
Mr Tony Huys	
Ontario Coalition for Education	J-2623
Mr Bob Cartlidge	
Ontario English Catholic Teachers' Association, Brant unit	J-2624
Ms Cheryl Hasler	
Ontario Secondary School Teachers' Federation, District 2, Kent	J-2626
Mrs Barb Gundry	
Mrs Colleen Warrener	J-2627
Association des enseignantes et des enseignants franco-ontariens	
Franco-Ontarian Teachers' Association	J-2629
M. Paul Lachance	

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Jack Carroll (Chatham-Kent PC)
Mr Tom Froese (St Catharines-Brock PC)
Mr Pat Hoy (Essex-Kent L)
Mr Wayne Lessard (Windsor-Riverside ND)
Mrs Lyn McLeod (Fort William L)
Mr Bruce Smith (Middlesex PC)

Also taking part / Autres participants et participantes

Mr Howard Hampton (Rainy River ND)

Clerk / Greffière

Mr Douglas Arnott

Staff / Personnel

Andrew McNaught, research officer, Legislative Research Service

A 2 EN
XC 14
-577



J-78

J-78

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Monday 27 October 1997

Journal des débats (Hansard)

Lundi 27 octobre 1997

Standing committee on administration of justice

Education Quality
Improvement Act, 1997

Comité permanent de l'administration de la justice

Loi de 1997 sur l'amélioration
de la qualité de l'éducation

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.



LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Monday 27 October 1997

The committee met at 0958 in the Holiday Inn, Sault Ste Marie.

EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good morning, lady and gentlemen of the committee and ladies and gentlemen of the audience. This is a sitting of the standing committee on administration of justice and a continuation of the consideration of Bill 160. The committee is most pleased to be in the city of Sault Ste Marie and welcomes the sitting member in this area, Mr Tony Martin.

Mr Tony Martin (Sault Ste Marie): Thank you very much, Mr Martiniuk. I want to welcome all of you to the Sault and thank you for coming so that you might hear from my constituents re this issue. I'm just disappointed that we couldn't have presented you with better weather, but in keeping with the gravity of the issue that we deal with here it might be a bit Shakespearean that in fact this is what we are experiencing. Welcome, none the less, and I'm looking forward to what will probably be a very fruitful day. I hope you're all ears to hear from my constituents.

The Chair: Thank you, Mr Martin. The committee also welcomes Mr Bartolucci and recognizes Ms McLeod.

Mrs Lyn McLeod (Fort William): Thank you very much, Mr Chairman. I do have a motion that I want to place before the committee before we have our first presentation. In respect of the fact that we have a number of people who are here to present, I won't speak at any

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Lundi 27 octobre 1997

length to the motion. I present it, I guess, with some hope that it might be considered seriously by the committee.

My motion is that this committee be empowered to meet at 9:30 pm in Thunder Bay to consider recommendations to facilitate a resolution of the current confrontation between teachers and the government.

Mr Chairman, it won't come as a surprise to you that I am feeling truly dismayed that we have 2.1 million students who aren't in their classrooms this morning, but that I am even more dismayed that the government appears to have been determined to pursue its fiscal agenda and that they have made their need to make cuts to education more important than the wellbeing of those 2.1 million students.

I had hoped over the course of the weekend, with the appointment of Chief Justice Charles Dubin as a facilitator, that there was a serious interest in resolving this, but it became apparent last night when I heard the Minister of Education speak on the breakdown of the talks that the government's position has not changed on the essential issues one iota.

I also heard the Minister of Education say that he and his government continue to be at the table through these hearings, and that's why I place my motion today. There are no teachers at this table, and the government is not sitting down with teachers through this committee process. I am frustrated that this committee has been given a mandate to listen to the concerns and we are here today because we believe it is still important to give teachers and parents and students a forum in which their concerns can be heard, but although we are here to listen, the Minister of Education is not here to listen and the minister does not appear to be listening to whatever comes through from these hearings.

We have had in the course of the first three full days of the hearings a number of recommendations that have come not solely from teachers but as well from parents and students, and I would say particularly from school trustees, and there is a very high degree of consensus as to the very immediate steps that could be taken by the government in withdrawing just certain clauses of this bill that would ensure that our teachers could be back in their classrooms and that this committee could proceed to deal with the rest of Bill 160, which the government needs to have by January 1.

I think, if there is any willingness left on the part of the government to see our students back in their classrooms, the government would be prepared to give this committee

the power to sit and at least debate the recommendations that have been made to us that I believe could end this confrontation and get our students back in the classroom. That's why I've placed this motion.

Mr Bud Wildman (Algoma): I too will be moving a motion after Ms McLeod's has been dealt with, but I want to say that I support the motion by Ms McLeod and I will very briefly express my reasons.

I understand that over the weekend the facilitator, former justice Dubin, broke off the talks after some considerable length of discussion last night, indicating that he did not think he would be able to bring the sides together, that the government left the table. However, this morning I heard in the media that the Minister of Education and Training has stated that he has amendments to present on Bill 160. Both sides, the teachers' federations and the government, are saying that they are willing to talk, continue discussions. We are in an unprecedented situation today where I understand all of the schools in Ontario, Catholic and public, are closed, or if not closed, not operating, and the education of our students across the province has been disrupted.

This committee has been charged by the Legislature and by the time allocation motion that the government moved to close off debate at second reading with the responsibility of dealing with Bill 160 and making recommendations to the House. Since Bill 160 is the centre of the controversy that has led to the disruption of education for our students, I think it is really incumbent upon this committee to try to come forward with some proposals that might lead to a resolution of what appears to be a very difficult impasse.

The committee might consider suggesting to the government that the government stand down Bill 160 and not proceed further in the legislative process with that legislation pending some suggested changes that might resolve the dispute. For instance, if the government were to make a commitment to reinvest any savings that accrue from restructuring of school boards in classroom education, that might be a first step to resolving this impasse and in truly dealing with the quality of education, as Bill 160 purports to do.

I support the motion by my colleague the member for Fort William and would urge all members of the committee to support it and have the committee sit to discuss proposals that might be made to resolve this current impasse and move towards a resolution of the very serious issues that relate to the education of Ontario students.

Mr Martin: I certainly support the move too. In Sault Ste Marie we have people on a list who would have liked to have presented today, but the time isn't sufficient to hear them all. After I have supported Mrs McLeod's motion, I will be asking the committee's consideration to hear at least one other group, because there is a slot that's apparently open at 4:30 this afternoon. In the audience here this morning, I have at least three groups: all of the secondary school student presidents from across the city are here and want to make a presentation; there's a grade 8 student representing elementary schools here who would

like to make a presentation; and there's a parent representing parents in the city, Cynthia Zalewski, here who would like to make a presentation.

However, I would be pleased, given that there's only one — actually, I'd suggest that we hear from all of them and that we take our lunchtime to do that, because this is such an important issue that we need to hear from as many people as we can and in particular, being a bit parochial, in Sault Ste Marie hear from my constituents. But if the noonhour request isn't going to be accepted, I would at the least expect that you would hear from the students, because, as you and so many have said throughout this piece, students are key in all of this, are the focus of all of this, and they would like to put on record their concern re this issue. So this afternoon and after we've passed this motion, Mr Wildman, who is officially representing our party, will be putting a motion on the table to at least hear from the students this afternoon in that 4:30 slot.

Mr Bruce Smith (Middlesex): I'm pleased to respond to the motion that Mrs McLeod has presented. I will be speaking in opposition to it. I think it's important for the committee to remain mindful that certainly this particular committee has been charged by the Legislature to deal with Bill 160, and I think we've had some very constructive and valued input with respect to the bill itself.

With respect to hearing from teachers, I would simply remind the committee that in Chatham nearly 50% of the presenters or deputants were representatives of the teaching profession, of various affiliates, and, although I've just scanned the presentation list today, it would seem that over 50% of the presenters today will be speaking on behalf of teachers in this province. Certainly the message is one that has been clear, concise, and there has been some common messaging throughout the entire process. I can assure the committee as well as others in attendance that those viewpoints are being articulated to the minister and he's aware of the viewpoints being expressed before this particular committee.

I will be speaking in opposition to the motion. I think, in fairness and to the credit of this committee, by and large we've been able to focus to date on the issues contained in Bill 160. The issues concerning labour negotiations or issues related to collective bargaining have been left at Queen's Park under the responsibility of the Minister of Education and Training and the affiliate presidents and their negotiating teams, and I think that's the appropriate place for that discussion to take place.

I'm anxious to hear again today from the deputants here in Sault Ste Marie with respect to this bill and, on that basis, will not be supporting the motion as presented by Mrs McLeod.

1010

Mrs McLeod: Again very briefly, Mr Smith, I do not believe that this committee has been dealing with the bulk of Bill 160. I believe that the majority of the presentations almost totally have been dealing with what you have described as the collective bargaining issues. In fact, changes in the collective bargaining are a part of this bill that we haven't spent much time on.

The concerns have focused around the sections of this bill that had been inserted by the government, that are totally unrelated to the amalgamation of school boards or to the transitional issues around the amalgamation of school boards and, that are related exclusively to the fact that the government wants to take dollars out by cutting teachers. They are the clauses specifically around the allowing of non-certified teachers to teach, the ability of the government to cut some 10,000 teachers by cutting preparation time and the ability of the government to — what it calls — control class size. But without any funding, in fact with funding cuts, the control of class size will mean the stripping of virtually every other support that students need for learning.

I believe those are not collective bargaining issues, that they are, however, crucial issues in terms of the intent of this bill. They are certainly the focus of confrontation. They have been the focus of these hearings. They belong here, and teachers, while they are presenting their concerns, don't have a vote around this committee table. That's why I think we should be empowered to be able to really discuss the recommendations that would affect those clauses and would allow some resolution of the current situation.

The Chair: If there's no further discussion, I'll put the motion. A recorded vote is requested.

Ayes

Bartolucci, McLeod, Wildman.

Nays

Beaubien, Guzzo, Rollins, Smith, Wettlaufer.

The Chair: I believe the motion fails.

Mr Wildman, you had a motion?

Mr Wildman: I'll deal with the matter that my colleague from the Sault mentioned in a moment, but first I'll move this motion and then I'd like to speak to it briefly.

In light of the comments of the Minister of Education and Training reported in the media this morning to the effect that the provincial government has amendments to Bill 160 to bring before this committee, I move that the committee request the parliamentary assistant to table the Conservative government's amendments now and that the committee not proceed with further public hearings on Bill 160 until these amendments are tabled and made public.

The reason I'm moving this motion is that we, as has been said, are in a very grave situation in Ontario education today, an unprecedented situation. We're at an impasse, and yet the minister has said he is prepared to move amendments, the government is prepared to move on this bill. If we proceed without knowing what those amendments are, then deputants are in the ludicrous position of making comment on Bill 160 without knowing what changes the government already intends to make. Surely they should know what the amendments are so that they can comment on those amendments in making their presentations.

These amendments, hopefully, will meet the needs of many of the students, parents, ratepayers and teachers who are concerned about the quality of education. If so, we might be able to reach some consensus. If these amendments fall short, however, those same deputants should be able to comment on them and to indicate why they don't meet their concerns. It would seem to me just a bit of the theatre of the absurd if we were to proceed hearing presentations on a bill, unamended, when the government already knows what amendments it intends to make. Surely the committee and all of the members of the public should know what those amendments are before we proceed.

Does the government really intend to reinvest the money it saves in education or does it intend to take another 4% or 5% out of education, about \$700 million, over and above the \$500 million to \$800 million already removed from education? Does the government intend to have more teacher time with students or does it really mean that there will be fewer teachers in Ontario teaching more students, meaning less individual time for students with teachers?

We need to know what these amendments are so that we can proceed in an orderly, sensible fashion on this committee and make recommendations to the assembly on whether or not the amendments are adequate to meet the concerns of everyone who is interested in quality education. I urge the members of the committee to support my motion so that we can see what the government's intentions are with regard to changes to Bill 160 and so that we can proceed to have hearings on those changes as well as on the original draft of the bill.

Mrs McLeod: I will support the motion to see the amendments before any committee hearings proceed. I think it would be one small step in getting some greater public disclosure of the government's agenda with this bill, because up to now the only public disclosure of the agenda behind this bill has been through leaked documents like the deputy minister's performance contract, which shows the government's intent to cut \$667 million from the education budget.

I wonder if Mr Wildman might accept a friendly amendment, because I think any amendments put forward by the government that don't have the funding formula attached to them become virtually meaningless. I know, Mr Wildman, we've both urged that the financial realities of this government's agenda be put forward as part of the discussion on the bill, so if you'd accept that as a friendly amendment.

Mr Wildman: Certainly, as I said, we need to know whether the government intends to reinvest or to take another \$700 million out. In order to know that, we have to know what the total amount is and what the funding formula is.

The Chair: I take it, then, the motion would be amended somewhere after "The parliamentary assistant to table the Conservative government's amendments" —

Mr Wildman: "Including the funding formula."

Mr Smith: Again I would simply respond to the member for Algoma, who obviously has considerably more experience than I in the committee process, and I respect that, that I think one thing he would recognize as part of this process is that there is in fact a period of time between the expiration of these committee proceedings and the time frame by which amendments have to be tabled, which will be November 5.

As parliamentary assistant, I have insisted as well that clause-by-clause consideration be delayed until such time as the Legislature reconvenes on November 17 and 18. From my previous experience in committee structures, too often in the past we've been concluding presentations on a particular day and moving into clause-by-clause consideration the following day. Quite frankly, that's inappropriate in terms of giving any consideration to appropriate amendments to any legislation that's before a committee. So those items have been taken into consideration.

I recognize that your motion speaks to our request to have the minister table the amendments that are being considered. The position is such that we would continue with this process, that we give full opportunity to all people to exercise their input into the committee and provide a complete package of amendments if appropriate under the time frame I mentioned for November 5. From that perspective, I'm speaking against the motion again.

With respect to the funding formula, we've had considerable discussion over the last six days about this particular issue. Many times you've accused us of moving too fast on issues, and the funding formula is a critical piece to the future of public education in this province. We are taking our time to get the funding formula right so that it's responsive to all needs, not just the needs of average students but those students who have special needs, those who are learners at risk, so that we can ensure we have the appropriate amount of data in place in order to move ahead with the funding formula in September 1998.

From two perspectives I recognize your position on the funding formula. I also have indicated the position with respect to the time frames this committee will be responding to in terms of tabling amendments and responding to clause-by-clause consideration of the legislation.

Mr Rick Bartolucci (Sudbury): A question I have, since Mr Smith gave his November 5 date, is it, then, the government's intention to keep the students of Ontario out of school until November 5?

Mr Garry J. Guzzo (Ottawa-Rideau): You are no longer a school teacher.

Mr Martin: And you're no longer the judge.

The Chair: Mr Bartolucci has the floor.

Mr Bartolucci: Well, listen, it's a simple question. Mr Guzzo from Ottawa may have some trouble with kids being in school. I have a great deal of difficulty when a government member will laugh at the prospect of children being in school.

1020

Interruption.

Mr Bartolucci: I ask the question again —

The Chair: Excuse me, Mr Bartolucci. Members of the audience, this is a sitting of a standing committee of the Legislature. I am bound by the standing orders. The standing orders provide that there are to be no demonstrations. We're attempting to hear from 33 people today and we've already lost 20 minutes. It's going to be very difficult. No demonstrations are permitted, and if they continue I will merely adjourn for a said period of time, which means that certain people may not be heard. I don't want to do that, I really don't, because I think it's important that we hear from each and every one of them. So I'd ask you to restrain yourselves.

Mr Bartolucci: Again, Mr Chair, I would ask the question, then, is it the government's intention to keep the students of Ontario out of school until November 5?

Mr Smith: The government of Ontario does not support illegal strike action by the teachers of this province. If that was not occurring, the students of this province would be in school today. I am not going to speculate on November 5. My responsibility is to proceed with public hearings and to secure the input of people in this city, in Thunder Bay tomorrow and Ottawa. So the question concerning where students are or are not would be better positioned to those individuals who are taking illegal strike action.

Mr Bartolucci: Just to follow up on Mr Smith's answer to the question — and I appreciate his answer — you must, then, appreciate the intent of the motion. All of this may be for naught, if the government amendments were tabled, as Mr Wildman and Mrs McLeod have stated.

Again, I will be supporting the resolution, but I guess I'd ask one other question: Why will you not allow every opportunity for the students of Ontario to return to the classrooms, when this may be a stellar opportunity for the government to show its good faith in bargaining by tabling motions and amendments that could very well allow the students to go back in Ontario? Why will the government not do that?

Mr Smith: I think I responded to the previous question that that responsibility lies with teachers in this province. It is not the government of Ontario that has undertaken illegal strike action. Students would return to the classroom if teachers returned to the classroom. I am charged with the responsibility of completing the public hearing process that we have before us and providing input back to the minister in order that we provide quality amendments to the legislation if appropriate. That is my responsibility, and I believe I answered your first question in my first response.

Mr Bartolucci: If I may make one final comment, I believe the responsibility of this government or any government is to use everything in its power to ensure that quality education takes place. By not tabling the amendments, they are showing, as they did this past weekend when they walked away from negotiations, that they are not acting in good faith to ensure that the students of Ontario get back to school.

Mrs McLeod: I would say to Mr Smith that it is the Minister of Education who last night on television was leading the public to believe that he has proposed amend-

ments to this bill that he believes might make a difference to this situation. Mr Smith, you know full well that there is nothing prohibiting the government from presenting the specifics of its amendments before November 5, by which date amendments must be presented. If the minister was serious last night in what he was saying to the public, then he should demonstrate that seriousness by tabling his amendments now so they can be the focus of public comment and public debate.

To suggest that we hang on to technicalities of the last date by which amendments must be received by this committee, when you have 2.1 million students who are not in class, in a situation in which the government can resolve this, is truly playing games with our children.

Mr Guzzo: There might be one issue here that has some merit. Representing the Ottawa view, the member for Ottawa South, as he then was, now the leader of the Liberal Party, in 1992 had a private member's bill before the House, which I understand was supported by the Liberal caucus of the day, including the then Liberal leader, Ms McLeod. That was a private member's bill that called for changing the legislation to prohibit teachers from the right to strike, taking away the right to strike.

If that is one of the amendments that we are thinking of bringing in — which I have never heard, but if it is — in light of the fact that the Liberal leader, Mr McGuinty, moved a private member's bill in 1992 and Ms McLeod supported it, to save further embarrassment in causing another reverse backflip, it might be worthwhile to indicate now if it's our intention that that's one of the amendments to bring in.

The Chair: I remind the members of the committee that the time is now 10:28.

Mrs McLeod: I am in no mood today to have more fuel thrown on this fire by members who are continuing to state what are simply lies. I cannot believe — and I understand Mr Guzzo walking away, because there is no defence.

The Chair: Excuse me, Ms McLeod, I believe that is unparliamentary.

Mrs McLeod: I will withdraw that statement, even though the statement made by Mr Guzzo does not in any way relate to the facts of a private member's bill that was indeed presented by Mr McGuinty and which dealt with, first of all, the protection of the right to strike — it in no way eliminated the right to strike — and which, secondly, protected the existing collective bargaining climate and strengthened the role of the Education Relations Commission, which could serve as a facilitator not only to avoid confrontation but to deal with the issue of students in jeopardy.

If we had anything resembling a reasonable collective bargaining process for the issues currently creating a confrontation between teachers and government, then we would not have the situation that we're in right now. The reason we're in the situation we're in right now and the reason 2.1 million kids are not in school today is because this government is using its power of majority to give itself, through its cabinet, absolute control over every

decision that is made in education in the first place, and part of what they are doing with this bill is abrogating every contract that was arrived at through the normal collective bargaining process.

That is a totally misleading and inflammatory statement. If that's the way we're going to spend the day, Mr Chairman, let's get on with it.

Mr Smith: Just in response, and I don't want to continue the debate, because Mrs McLeod and I have had this discussion over the past six days, but just to clarify the issue for my colleague, very clearly at the outset the government of Ontario indicated that it was not removing the right to strike for teachers in this province. We heard from principals and vice-principals in this province about their collegial responsibilities, their professional responsibilities and their school communities. We've respected that and not removed them from their collective bargaining units. The third item of contention originally was the elimination or choice of affiliation by teachers in this province. Once again, we clearly indicated as a government as well that we would not be removing that choice.

Those are three key areas that the leadership of teachers' unions in this province identified and we responded to and supported their viewpoints.

Mr Wildman: To close off debate, I must say I'm disappointed. For clarification, to be fair, the private member's bill did not eliminate the right to strike; it limited the times of the year that would have allowed strikes. Our caucus did not support it, but I don't think bringing that up helps to resolve this matter.

I must say I'm disappointed. We're holding hearings here today, in Thunder Bay tomorrow, Ottawa on Wednesday, and that's the end of the committee's public hearings. If the public is going to have an opportunity to comment on the government's proposed amendments, we have to have the amendments now. If we don't have the amendments before the end of the day on Wednesday, there will not be any opportunity for the public to have input in this committee on the amendments that this committee has to deal with.

There is nothing in the rules to prevent the government from tabling or publicizing their amendments at any time. They don't have to wait until the deadline which the time allocation sets, which is November 5. I fear, as my friend from Sudbury, Mr Bartolucci, has said, that not tabling the amendments may mean that students may not have classes from now until at least November 5, when if the amendments do respond to the concerns of the teachers, they could be back in school this week. I really don't understand that. I fear that we may not be here just until November 5 with this disruption of classes. It may be until we actually get to clause-by-clause, which is November 17.

1030

It was my hope that we wouldn't deal with this bill in a particularly confrontational mode. We are in a serious confrontation in this province. If this committee can help to bring the sides together to try to cool things out, to look for ways of responding to the concerns of the teachers, the parents, the students, and dealing with the government's

agenda, we should be trying to find it. One of the ways might be looking at ways to amend this bill, and not waiting until November 5, after all the public's comments have already been heard.

My really great fear is that the teachers may be out of classes for some time. The students will not be in class where they should be, where their parents want them to be, where the community wants them to be; that the teachers will not be in class where they want to be. I think it's really a responsibility of this committee to deal with that.

If the government is simply determined to centralize all of the power over education in the cabinet, where decisions can be made behind closed doors by regulation, without any public input, surely the public should have input now. Surely the public should have an opportunity to say whether or not these amendments go far enough to deal with their concerns, whether they be parents, students, teachers, trustees, taxpayers or ratepayers.

We need to know what these amendments are. We need to know if the government is going to allow for local decision-making over education. Or, if they are going to centralize decision-making in the cabinet, whether or not they will put it at least in legislation so that the Legislative Assembly, we as MPPs, will be able to have input into changes rather than having decisions simply made behind closed doors in secret.

Despite the comments of the parliamentary assistant, I urge the government members to support this motion. I urge the government to make it absolutely clear that Mr Guzzo's comments were perhaps made somewhat tongue in cheek, and that the government does not intend to move in any way to limit the right for teachers to withdraw their labour in the collective bargaining process.

Mr Guzzo: That's the Liberal 1992 position.

The Chair: Excuse me, Mr Guzzo.

Mr Bartolucci: That's incorrect.

The Chair: Mr Bartolucci.

Mr Wildman: I want that to be clear. If the government can make that much clear, surely it can make its other amendments clear.

Mr Marcel Beaubien (Lambton): Let's get on with business. Let's hear from these people.

Mr Wildman: I want to hear from them too. But I want the teachers to know that this government and the parliamentary assistant have said the government initially threatened to bomb their house by taking away the right to strike and taking principals and vice-principals out of the federations and taking out the requirement to be members of the federation to teach in the province. Then they came along and said, "Oh no, we won't do those things. We're just going to throw a rock through your front window," by centralizing all power at Queen's Park and ensuring that teachers have no say over education in this province and that boards have no say over education in this province. "Because we only broke your front window instead of bombing your house, you should be happy." No wonder they're out of their classes right now.

The Chair: Thank you very much, Mr Wildman. If there is no further discussion, we have a motion on the

floor which has been amended. Is a recorded vote requested? A recorded vote has been requested. I call the question.

Ayes

Bartolucci, McLeod, Wildman.

Nays

Beaubien, Guzzo, Rollins, Smith, Wettlaufer.

The Chair: The motion fails.

Mr Bartolucci: I have a further motion. In light of what I've heard this morning and in light of listening to the parliamentary assistant, who says he wants to hear from the people of Ontario, and in light of listening to what the government members have said with regard to getting on with business, the following motion is presented for the committee:

Because of the importance of communicating concerns regarding Bill 160, the committee favours continuing committee hearings for the duration of the political action by the parents, students and teachers of Ontario, and that these hearings be held daily in different cities across Ontario.

I submit the motion because I believe I heard there is a willingness for the government to continue listening to the concerns and the possible avenues of resolution from the taxpaying public of Ontario. You can't do that if you're only going to have two more days of hearings, one in Thunder Bay and one in Ottawa. Both opposition parties have said that you didn't spend enough time on public hearings with regard to Bill 160. At that time we weren't in a situation where 2.1 million students in Ontario are not in school, in their classrooms. If this government is truly interested in finding a resolution to this, you may find that resolution by listening to what the students, teachers and parents across Ontario are saying.

I would suggest to you that it is imperative that this committee continue public hearings. It is imperative that at these committee hearings, at some point in time, the amendments be tabled, so that the people of Ontario will have input into what the final version of 160 would be. If you feel that there is common sense in listening to the people of Ontario, I find it very, very difficult for you not to support this resolution.

The Chair: Thank you, Mr Bartolucci. Is there any further discussion? If not, is a recorded vote requested?

Mr Bartolucci: Absolutely.

The Chair: A recorded vote has been requested. Mr Bartolucci's motion is on the floor.

Ayes

Bartolucci, McLeod, Wildman.

Nays

Beaubien, Guzzo, Rollins, Smith, Wettlaufer.

The Chair: The motion fails.

Mr Wildman: I have another motion.

The Chair: The time is nearly 10:40.

Mr Wildman: I won't prolong this. I move that the committee invite the Sault secondary school councils' presidents and Sarah Huckson, representing secondary and elementary students in this city, to appear before the committee in the available time slot this afternoon.

The Chair: Does this condense Mr Martin's request?

Mr Wildman: Yes.

The Chair: I would point out that the clerk would have to determine whether it has been filled. It shows as not filled here; however, his staff is phoning. Could we deal with that later on? He will determine whether it is open.

Mr Martin: We have the students here this morning waiting to hear if they're going to be presenting this afternoon. The sooner we can make that decision the better. It seems to me that we, as a committee, have the power to determine who appears. These folks are ready, they're anxious, they're waiting, and I would prefer that we make that decision right here and now.

The Chair: If it has been filled, Mr Martin, it would mean withdrawing an invitation. That's our difficulty. I'm going to ask the clerk to determine, within the next half-hour, whether it has been filled, and then we'll deal with that motion.

Mr Wildman: That's fine.

Mrs McLeod: I just wanted to remind the committee, because there are some members who were not with us last week, that the precedent for accommodating a group of students who are not on the list was set in Chatham when Mr Carroll came with a group of students and asked the consent of the committee to have those students appear. We most certainly were anxious to have the voices of students at every opportunity so we did accommodate that group, although they were not on the list.

Mr Smith: I recognize the point of view that the clerk has expressed through you, Mr Chair, but I would speak in support of this motion. We would welcome the input of this particular delegation, so at whatever point in time it can be accommodated, we'd appreciate it.

The Chair: Fine. The motion will be tabled until the clerk reports to me on the allocation of that time spot.

Mr Bartolucci: Just a comment in passing. It's very, very interesting that the government would support having one presenter today — and I agree with that — yet they refuse to have continuing presenters on an ongoing basis while this political action takes place. Somehow there's an inconsistency that the people of Ontario must find disgusting.

Mr Guzzo: One is against the law and the other isn't.

The Chair: Excuse me, Mr Guzzo. Thank you.

1040

BOB JACQUES

The Chair: I believe we're ready for our first presentation, Mr Bob Jacques. All members of the committee

should have received a written brief dated October 27 by Mr Jacques. Welcome.

To Mr Jacques and all members who will be making presentations here this morning, the time allocations are 10 minutes. Contrary to my nature, sometimes I have to be rather abrupt and cut the time off so that all persons who are scheduled to make a presentation can make that presentation. So you'll understand. Sir, please proceed.

Mr Bob Jacques: To the members of this committee, I would like to express my appreciation for the opportunity to appear at these hearings and make this presentation. My name is Bob Jacques.

During the 27 years I've been a professional educator, I've been involved in many executive positions within my own federation. I've been involved in curriculum development, teacher training, educational finance and a number of other extracurricular activities. It's because of this sense of involvement and duty that I appear before you today to respond to portions of the proposed act which address matters related to instruction in Ontario schools.

In our negotiation of contractual agreements, ambiguity produces a variety of interpretations which result in mistrust. Attention now is directed at Bill 160.

In clause 58.1(2)(q)(i), the wording allows the Lieutenant Governor in Council some extraordinary powers. The interpretation: It is impossible to predict the powers of the Lieutenant Governor in Council. Any and all matters can be changed without discussion in Parliament. The usual way of doing business is no longer applicable.

This apparent contradiction is resulting in a mistrust of government intentions. The membership of the provincial teacher federations is led to believe a power grab is being hidden in legal wording. If the government does not intend to circumvent the right to strike, it is absolutely necessary to provide clarification, in writing, to uphold the integrity of this government.

Section 58.1 states: "A person's employment shall be deemed not to have been terminated for any purpose by anything done under this part." The interpretation of this clause suggests that the forthcoming amalgamation of school boards would not result in loss of jobs. However, the Lieutenant Governor in Council could change this and a number of teaching positions would be lost.

There is great fear among teachers that their seniority rights will be totally ignored and that an amalgamated board could fire employees at will without just cause. Does this proposed legislation guarantee job security of current employees of the transferor boards?

The ambiguity of this section leaves the government's intentions to be suspect after negative interpretations are applied. A position paper outlining the scope of this legislation as it would be applied needs to be published to allay fears and put to rest all the preconceived suppositions that greet these initiatives of change.

As for school advisory councils, having served on a council for my children's secondary school, I believe that initiating parent advisory councils is a very positive step towards enhancing student performance in our schools. The roles of all involved need to be firmly established so

that these groups cannot simply be dismissed or bypassed. Where disagreements arise, a mechanism needs to be in place to allow the council to resolve differences and to move on to matters relating to improving student learning. I strongly urge the government to introduce province-wide dispute resolution mechanisms.

Professional development: The Education Improvement Commission has been given the task of conceptualizing the future look of education in Ontario. Its report *The Road Ahead: A Report on Learning Time, Class Size and Staffing* has very capably addressed the issues specified by the Ministry of Education and Training and very clearly is reflected in Bill 160.

With the introduction of Bill 160, the government has extended the length of time teachers and students spend in educational learning activities. During such increased time, students will be presented with opportunities to conference with the teacher and solidify knowledge and skills being presented. While this is a worthy measure to improve the overall quality of education, we must not forget the reality of the situation. The human brain can be bombarded with content, but is capable of absorbing only certain amounts before requiring rest. The length of each individual class needs to be reviewed in an attempt to create maximum learning conditions.

I am dedicated to the proposition that we can become more proficient and more efficient in the delivery of education to our students. We need to heighten our awareness of the body of knowledge embraced in recent research. Only through the combination of several change agents will we achieve the optimum potential of our teachers and our students. It is not good enough simply to alter time and load variables without focusing attention on enhanced performance.

To quote Dave Cooke, co-chair, Education Improvement Commission: "If we are truly concerned about the quality of education Ontario students receive, we must be prepared to tie various reform initiatives together."

The current climate of educational change is being interpreted in very opposing ways. We need to be clear and concise in communications being sent and received by all parties.

If we say there is no need for as many professional development days as in the past, then the message received is, "We don't need to promote excellence in Ontario schools." If this is the case, there is no need to encourage teachers to grow professionally and there is no need to establish standards which can be achieved only through the efforts of a well-qualified, dedicated teaching force. I do not believe for a moment that this is the goal this government has to achieve in education. But I caution the use of professional development days as being restricted to any one week or block of time. Rather than de-emphasizing the role of professional development in the learning cycle, we should be clearly defining the needs of Ontario's educators. Preferably, we should design a continuous, systematic program to enhance the skills we already possess.

We are presented with an opportunity to embrace change, but we need to identify what will assist us in our arrival at this end. Professional development, according to Ann Vanstone, co-chair, Education Improvement Commission, that is practical, current and developmental is most successful.

Teachers' qualifications: I am compelled to comment on the issue of using non-qualified staff in certain situations as provided for in section 81, section 170 of the act. This issue alone strikes fear in the hearts of teachers, and I cannot emphasize that strongly enough. It needs to be carefully considered.

I fully understand and appreciate the controversy. In certain situations isolated communities or specialized programs may be at risk of not being properly staffed due to circumstances beyond their control. If it can be shown that qualified teachers are not available to assume the duties for a designated position and public advertising fails to address that deficiency, a letter or letters of permission should be offered to the best available candidate, but such an offering should be limited.

It is imperative that those who teach are capable of assessing learning, modifying program expectations and designing the methods of delivery best suited to the needs of the classroom. This is the role fulfilled by a fully qualified and trained teacher.

Regarding education finance, the amount of dollars spent per pupil in this province has been out of balance for several years. The result is that some schools have greater resources than others. I applaud the initiative of the government to bring about a sense of fairness and equity to the students of this province. The government should move expeditiously to fund the education of each child on a cost-per-pupil basis. We cannot afford to perpetuate a system which spends varying amounts of financial resources and expects to achieve equivalent results.

Consideration should be given to addressing the gaps which currently exist across this province. This equalization effort is necessary for the government to establish its true concern for the students. At the moment, through Bill 160 and its regulations, there is a window of opportunity to prove the critics were wrongfully saying the government is just interested in saving money. The winners in this scenario are the children who sit in the classrooms lacking adequate resources to compete not only against their counterparts in Ontario but against those internationally as well.

1050

In closing, I'd like to give credit to the Ministry of Education and Training for the initiatives already in effect at the elementary school level. As a professional educator, I welcomed the opportunity to participate on the writing team which created the language expectations for the new Ontario Curriculum, 1997. I believe in learning outcomes and in standards identified by grades. My colleagues have expressed favourable acceptance and appreciation of an improved organization of curriculum.

The establishment of the Education Quality and Accountability Office is a very positive step in tracking

the progress of our students' march towards the year 2000. Provincial testing and the sharing of results will help us to focus on the needs of our students and the development of realistic goals and expectations for future growth.

The new standard report cards were long overdue. They help to develop a clear, concise picture of the individual progress a student is making and where he or she needs to go in order to improve. It's user friendly and includes curricula expectations, descriptors for learning skills. It is especially appreciated that earlier drafts were field-tested and drastically changed because it would result in a better product. This is the essence of a quality education system.

In addressing these matters related to instruction in Ontario schools, I have attempted to provide a fair and balanced view of the issues included in and arising from Bill 160. Thank you for the opportunity to appear before this committee hearing. I invite you to take the time to review the summary of key points included in this brief. Once again, thank you.

The Chair: Thank you, Mr Jacques. You've used all of your time, but I'd like to thank you for a very thoughtful paper this morning.

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
SAULT STE MARIE UNIT

The Chair: Our next presentation is OECTA, Sault Ste Marie branch, Art Callegari. Good morning. I'd ask you to identify yourselves for the purpose of the record and then proceed with your presentation.

Mr Art Callegari: Good morning, Lyn, and the rest of the members of the committee. My name is Art Callegari. I'm the president of the Ontario English Catholic Teachers' Association unit here in Sault Ste Marie.

Ms Cheryl Fabbro: Good morning. My name is Cheryl Fabbro. I'm a classroom teacher at Mount St Joseph College in Sault Ste Marie.

Mr Callegari: The Sault Ste Marie unit of the Ontario English Catholic Teachers' Association welcomes the opportunity provided here today to appear before this committee to address our concerns concerning the Education Quality Improvement Act, 1997. Our concerns are rooted in the contradictions we observe within Bill 160 itself, a bill which purports to be about educational quality but is in fact a legislative tool for extracting resources and expertise from the educational system.

Bill 160 indicates that the proposed legislation will result in an extraordinary degree of centralized control by the province while at the same time leaving all the implementation problems at the local level. Under Bill 160, the province assumes all the authority but accepts no responsibility. The claim that Bill 160 is an Education Quality Improvement Act, to me, is an illusion and an example of political doublespeak.

The government states its goals are lowering costs, raising student achievement standards to the highest in

Canada and improving the quality of Ontario's educational system. As a teacher, how can I argue with the goal of continually trying to improve the quality of our educational system? I believe that most of the government proposals have much more to do with reducing costs than with quality education. As a parent, I ask you, how does eliminating thousands of teaching positions, which will be the end result of Bill 160, improve the quality of education?

As a member of the board of directors of the Sault and Area Hospitals, how can I believe you after what you have done to our area hospitals and health care?

I believe, as do teachers, that many of these changes are really about two issues: the loss of local accountability in favour of a massive transfer of power to Queen's Park and the extracting of a further \$1 billion from Ontario's educational system to pay for the promised tax cut.

I ask you to answer us in clear and exact words. What level of funding will you guarantee for Ontario's students and when shall we hear of it? Will you reinvest any efficiency savings back into the education system or will it be similar to the promises made to our health care system? Being a member of the board of directors of the Sault and Area Hospitals, your government's much-promised re-investment has not materialized. You asked me, as a board member, to trust you. We were reassured of future re-investments. Well, where is it? How will decisions made at Queen's Park be better than those made by local school boards, classroom teachers and school councils?

Change is not new to the teaching profession. The Royal Commission on Learning, 1994, states: "Attempts to reform the system seem to go on non-stop.... The truth is that for decades schools have done nothing but change.... But real change, fundamental change, cannot occur without the enthusiastic participation of the teachers of this province."

I believe it is time for a reality check for this government. Instead of moving education in the direction of constructive and positive change, this government's entire approach has done little more than demoralize teachers and devalue their contributions to Ontario's students. That is the reality. Somehow this bill does not reassure me that anything will get better.

This portion of the presentation I'll turn over to my colleague Cheryl Fabbro, a classroom teacher. Cheryl will relate to you how this act will affect her on a daily basis.

Ms Fabbro: In 23 years as a classroom teacher I have never encountered such a threat to the very fabric of education as I have this year with the introduction of Bill 160.

Education was, is and always will be the "developing of the innate powers of the individual mind." As teachers and students spin into the 21st century with its information highways and technological advancements, at no other time in history has the education of young minds, indeed the education of the whole person, required the teamwork, the time and the expertise of qualified teachers, teachers who are one on one with students, delivering education not only in the classroom but also in the computer lab, the library, a conference room, the auditorium, the gym. It

may be before the first bell in the morning, at lunchtime, during the teacher's preparation time or after school. In other words, teaching students today occurs at any given time, in any place, for any number of reasons and in any number of ways.

However, Bill 160 intends to take away the time, time that I have difficulty finding enough of in a day now, time that I need to keep abreast of the changes in educating young minds for the future.

Then there are those young people who, for any number of reasons, have difficulty learning. I need time for them. Never in 23 years of teaching have I seen more support staff and literature in our schools than I have in these past few years. Parents, alcohol and drug abuse counsellors, family services and attendance counsellors and children's aid society workers are just some of the people to whom I need to speak concerning my troubled students. There are safe schools policies, health and safety policies, emergency procedures, child abuse policies. There are more people to talk to and more issues to deal with. Bill 160 will not give me enough time to do what I must do for my students.

I need the support of my colleagues on staff. I need the support of my administration. Bill 160 tries to separate wherever it can. In taking control of teachers' seniority rights, the bill pits teacher against teacher, raises stress levels and demoralizes the entire profession. Besides, how does this attack on the seniority rights of teachers improve the quality of the education of our students? In fact, how do non-certified people, who according to the bill can be introduced into teaching positions, improve the quality of education over those teachers who not only have qualified degrees and are certified but who have also spent thousands of their own dollars taking additional courses so that they can be best trained to deliver education in today's fast-paced information age?

Don't insult me and my colleagues by telling us that we are North America's best teachers and then state that education in Ontario must improve. Don't pretend that cutting millions of dollars from education is going to make my students better learners. Don't insult my students by telling them they are not up to snuff with the rest of Canada. They can compete nationally and globally. Where was Roberta Bondar educated?

Bill 160 will not cultivate education in Ontario. It will not improve education. Rather it will stunt its growth and slow down the harvest. Thank you.

Mr Callegari: In conclusion, your government claims "putting students first" is a new goal. I also remember your government's goal in health care when you said the quality of health care for the people of this province will not diminish. As a member of the board of directors of the Sault and Area Hospitals, I say shame on you. You lied. Your treatment of health care is despicable.

As a teacher in this province, I state to you that I have always put the interests of students first. It is what teachers always do. How can I trust you when you ask us to accept the Education Quality Improvement Act? You are well down the road in making health care a two-tier

service and now you are trying to create a two-tier educational system — nothing more, nothing less.

That concludes our presentation. We'll answer your questions.

The Chair: Thank you very much. There really is no time for questions. You've got about 30 more seconds. Is there anything you'd like to add to your presentation here this morning?

Mr Callegari: No. I think we said it all.

The Chair: Thank you very much for your presentation here this morning.

There will be a five-minute recess. We will reconvene at 10 after 11.

The committee recessed from 1103 to 1109.

The Chair: I have an announcement. Assuming there is no objection by any member of the committee, we can accede to Mr Martin's request that the students be heard at 4:30 as that time slot is not filled. We will proceed on that basis.

ALEX MUIR PUBLIC SCHOOL PARENT ADVISORY COUNCIL

The Chair: Our next presentation is the Alex Muir School Parent Advisory Council. Welcome and please proceed.

Ms Leslie Uhlig: My name is Leslie Uhlig. I am present and speaking on behalf of the parent advisory council of Alex Muir Public School. I wish to relay to the committee some of the concerns which we parents have with respect to Bill 160, the Education Quality Improvement Act. We fail to understand how it will be possible to give students more time in contact with teachers if there will be a loss of 10,000 teachers across the province. Similarly, we also fail to understand how further cuts to the education budget for the province of Ontario will help to improve the quality of education in Ontario.

I might add that the newsletter which the government sent out to us, which stated that there would be the same funding for education in 1997-98 as there was in 1996-97, seems to be patently false since another \$667 million is going to be taken out of it. These additional cuts are currently estimated to total \$1 billion. We have all seen how much less the health care industry is capable of doing as a result of funding cuts. Proposing to do more for education with less money and fewer teachers does not add up; in fact it seems to be an oxymoron.

Mr Harris seems to be fond of comparing Ontario's elementary students to students from other countries in order to illustrate the need for educational improvement. He has neglected to mention, however, that he is essentially comparing apples to oranges. The foreign students he uses in his statistics have been culled from a streamed, university-bound subset of those countries' student population. On the other hand, the Ontario students' results used for this comparison came from the entire non-streamed population of elementary students. Ontario does not stream students before grade 9.

This unfair comparison seems intended to shame our educational system and the teachers within it. Is this really setting a good example to our students? Is this going to help to improve the morale of our teachers? Does Mr Harris feel that by reviling Ontario teachers he will improve either the morale or the confidence of students across the province? In fact his continued insistence that he cannot "trust" the teachers and school boards to administer a quality education to students in this province is arrogant, inflammatory, derogatory and perhaps even libellous. As a parent who feels that my own children, both of whom are currently in elementary school and one of whom is present here today, are getting an excellent education, I feel it is Mr Harris that I cannot trust, not the teachers. After all, he repeatedly assured voters that he would not cut funding to education or health. We have seen the veracity and quality of Mr Harris's promises.

The transfer of power outlined in Bill 160 will give the provincial government — behind closed doors, as Mr Wildman stated — rather than the school boards the ability to regulate class sizes. As a parent, I feel this is an undesirable change. At no time has Mr Harris, Mr Snobelen or Mr Johnson specifically stated what limiting class size actually means. Does this mean that all classrooms in Ontario will now contain 35 or 40 students? This would be an increase in class size for many, many classrooms. It seems that since 10,000 teachers will be cut from the system over the next year or two, it will not be physically possible to limit the class size to 18 to 23 students per class, even though that is what might be considered beneficial.

Over the last decade, several extensive and rigorously scientific studies of the benefits of small class size have been done. One example of such a study occurred in Tennessee, the student-teacher achievement ratio or STAR study. Charles Achilles, a professor of educational administration at Eastern Michigan University, was one of the investigators in this study. He found that for students in grades JK to 3 a ratio of one teacher to 15 students, as opposed to a 1-to-25 ratio that was closer to the norm in most schools, provided the following benefits: higher test scores were obtained by students; students participated more in school; students demonstrated improved behaviour. Many of the above benefits were also retained well into the later years of schooling.

It seems that Mr Harris has not investigated any of these types of studies before making his pronouncement that through Bill 160 his government would now take on the responsibility of determining class size. He has not stated clearly what the size of classes will be nor whether they will be subject to continual change. This ambiguity is causing a great deal of suspicion on the part of parents.

Bill 160 will also give the Minister of Finance control of the educational portion of our property tax bill. The stated goal is to provide fair and non-discriminatory funding of education, yet there is absolutely no clear information given by the government regarding how this change will be instituted. Will our property taxes go up significantly? Will our property taxes, as ratepayers in Sault Ste

Marie, be affected by the desire of a school in Toronto to provide a computer for every student? Will our taxes go up due to the wishes of a school in Ottawa to have a school band? Might they increase because a school in Thunder Bay needs a new gym floor? Local needs cannot be assessed or met by an absentee landlord. In effect, by centralizing the control of educational taxes in Toronto behind closed doors, the government is proposing to become just that: an absentee landlord.

Bill 160 also proposes to give the provincial government the power to determine the length of the school year. Initially Mr Snobelen proposed that the school year be increased, specifically during the summer months. I am a parent of two students who will be facing increasingly high costs for post-secondary education. I am also a post-secondary educator, so I know whereof I speak. To parents it is imperative that the current break for the months of July and August be maintained. This will allow students to obtain employment for as long a term as possible during the summer months in order to save towards the future costs of their post-secondary education. It also seems entirely contradictory of Mr Harris to propose an increase in the length of each and every school year, implying that the students need more instruction, while concurrently eliminating an entire year of instruction at the OAC level. This strikes us as yet another oxymoron.

Bill 160 contains changes to the former Education Act that will also allow the government to arbitrarily set the amount of non-instructional time provided to teachers. The emphasis seems to be on reducing the amount of preparation time allotted. We feel this is also a negative change. As a post-secondary educator myself, I know that it is essential to be given an adequate amount of time spent outside of the classroom, preparing to do an effective job inside the classroom. Setting curricula, contacting colleagues and/or parents, volunteering to coach sports teams or head up special interest clubs, grading, filling out report cards, these are some of the activities for which teachers require preparation time.

All of these activities are defined as non-instructional. However, can any parent question the benefits of their child receiving instruction for the playing of a sport or in the endeavours of an environmental or math or chess club etc? Without the willing cooperation of teachers, many of these enriching experiences will become completely unavailable to our children. Any reduction in the amount of non-instructional time currently given will also negatively impact a teacher's ability to do their in-class job effectively. This in turn will certainly have a negative impact on the education received by students. This hardly qualifies as an education quality improvement.

Another worrisome aspect of Bill 160 is the government's intention to use instructors who are not specifically qualified as teachers. Although many of us have special skills that may make us recognized as experts within that field, only fully trained, certified teachers are experts in teaching. Knowing or having a skill and being able to pass it on to others effectively are two completely different talents.

The Chair: Excuse me, there is only one minute left.

Ms Uhlig: It is not enough to have one without the other. Many teachers use the time outside the classroom to upgrade their own skills, both as instructors and as experts in a particular skill or topic. Diluting the quality of our teaching staff by replacing certified teachers with persons lacking these credentials will definitely have a negative impact on our children's education. It seems that this change has been proposed mostly in the interests of cost-cutting. Therefore it is difficult to imagine how an improvement in our educational quality can be an outcome of this strategy.

The government's own summary of Bill 160 states that the Education Quality Improvement Act is needed to empower the new boards. We fail to see how this bill is achieving the above-stated goal since most of the powers of the former boards to negotiate various aspects of the conditions of work and pay for teachers within those boards will be repealed. This gives the boards less empowerment, not more.

In conclusion, I would like to thank you for the opportunity to speak. Mr Harris claims he is committed to improving the quality of our children's education. If so, he will not simply dismiss our objections to the sweeping changes encompassed by Bill 160 with the same arrogance that he has shown to the people of Ontario recently in repeated statements by himself that he does not care about demonstrations made in opposition to his policies; instead he will honour our own commitment as partners in our children's education by responding honestly to our concerns.

The Chair: I thank you very much for your presentation here this morning.

1120

LESLIE CASSIDY-AMADIO

The Chair: Leslie Cassidy-Amadio.

Mrs Leslie Cassidy-Amadio: I had to bring my children with me. I should introduce myself. I am Leslie Cassidy-Amadio and I'm a parent. As you see, I have currently six children in the education system.

First and foremost, I would like to thank you for this opportunity to speak on Bill 160. I had been hesitant about speaking on this bill because of my friends and family members who are teachers. I certainly did not want to hurt any of them with something I might say, but after a lot of thought, the one element I kept focusing on was the children, and once I focused on the children, it became easier to speak about this bill. I feel the children should be the number one priority of Bill 160.

I have six children in the education system, an education system that is in definite need of reform. I have read about the government's proposed changes and agree with most, but with all due respect, I would like to offer some suggestions, ask some questions and state a few concerns.

I think standardizing the curriculum, report cards and testing across the province is a great idea, especially the

back-to-basics curriculum plan. I would like to see simple tools such as phonics and multiplication tables reinstated.

With regard to increasing class time for students, I would like to see the elimination of professional activity days during the school calendar. These days are beneficial for the teachers, but our children are losing class time. If I may suggest, they may be taken in August, thus answering both concerns.

I welcome the government's idea with regard to non-teacher instructors in certain areas such as library, guidance, music, coaching etc, as long as the instructor has experience or training in dealing with children. I feel the students will be richer for this. Who is to say an individual is more qualified to be a teacher just because they have a certificate and another individual without a certificate is unqualified to teach? I would like to see teachers more accountable, because even with a certificate, some individuals should not be allowed to teach.

I agree with equal opportunity for each student across the province. I do have a concern with its being based on funding on a per pupil basis. For example, if computers are needed as part of the curriculum, it is going to cost the same whether you have 50 students or 500 students. On a per-pupil-based funding, the 500-student school will receive more money. Therefore schools here or further north will be shortchanged in comparison to southern Ontario. The government must not ignore the unique and special circumstances of northern Ontario schools in comparison to southern Ontario schools.

Bill 160 states limiting class size, which in theory sounds great and is much needed. I am, however, greatly concerned that no number has been stated. If it is 40, which I personally feel is too large, does this mean that current classes of lesser size will be increased?

I have a concern with the government giving parent councils too much responsibility in decision-making. The government must remember that these individuals are volunteers, some of whom have neither the expertise nor the resources to properly deal with such decisions. In all practicality, how is a parent council from a small, remote community going to be heard at Queen's Park?

I would like to see teachers allowed to retire earlier with a secured pension. This would open the door for new teachers to step in, bringing along with them their energetic ideas.

With preparation time being a contentious issue, the main concern I have is teachers using important class time to make up for lost preparation time.

I agree that school boards should not be in the taxing business. Some have proven to be irresponsible in their spending, so much so that our schools cannot afford simple supplies such as glue. I am concerned about total power going to the government. What if the present government is not re-elected? Assuming we can entrust this government with our children's education, what assurance do we have that we can trust the next?

Having said this, I would like to state that I feel it is wise to remove decision-making powers about education from the unions. They are too self-serving. I am appalled

that my children are being used as pawns in this power struggle, which is a sound reason why teachers should not be allowed to strike. The children are the ones who will suffer.

There are many good teachers — my children have been lucky to have great ones — and I truly believe that the majority of teachers have their hearts in their profession. I am concerned that these individuals are being demoralized because of lack of communication, or miscommunication, and political manoeuvring.

There are many points of the bill I have not mentioned. I have placed my trust and the future of my six children in the government's hands. I hope and pray it will do what is fair and right. I ask that the government stand firm and not back down from beneficial changes to the education system, but that it also remember that the quality of education in this province should not be up for sale. We, the public, have voted this government into office and hold you accountable. If this trust is broken, the public can answer it at the next election.

On a final note, I would like to stress that everyone should remember that the quality of education should be paramount and financial considerations secondary, because our children are the future. Thank you.

The Chair: We have one minute per caucus and we'll start off with the opposition.

Mr Bartolucci: Mrs Amadio, thank you very much for your presentation and thank you to the kids for being very, very, very attentive during your mother's presentation. I respect your opinion. I would just ask a few questions of you in the one minute I have. One, are you in favour of this government taking \$667 million more out of education? Second, do you realize that if the government withdraws this money, plus the \$553 million it has already withdrawn, the chances of junior kindergarten in most boards will not be possible?

Mrs Cassidy-Amadio: With junior kindergarten, I would have preferred that it was not even in place, because I would like to have my children home longer. Once they enter the school system, they're gone. The time just flies by.

With regard to taking additional moneys out of the educational system, what the government has not stated is how they are going to take this money out. The school boards take off more at the top, where we have too many administrators, with assistants and secretaries and high salaries in excess of hundreds of thousands of dollars. How is that benefiting our children? If that is where they're going to cut out the moneys, then, no, I do not have a problem with that. But yes, if they're going to take the moneys out where it's directly going to affect the children in the classroom, then I do have a problem with that. But they have not stated that.

Mr Wildman: Thank you, Leslie, for your presentation. It was very balanced. I note particularly your concern about not having numbers about class size, which I think is very important, and your concern about the changes to prep time and what it might mean in terms of how the class time is used.

I just want to point out to you that the government has indicated that restructuring of school boards and cutting administrative costs will save about \$150 million out of the total amount spent per year in education in Ontario of \$14 billion. That works out to about 1% on those high administrative salaries.

My question is really related to the comments you made right on the last page where you said the government must remember that the quality of education in this province should not be "up for sale," and your concern about control of education by the government and what could happen because that education is controlled at Queen's Park. You say financial considerations should be secondary. What exactly did you mean by that?

The Chair: I'm sorry, Mr Wildman, your one minute is up.

Mr Beaubien: Mrs Amadio, first of all, I'd like to commend you for having the guts to speak today. Kids, you should be proud of your mother. I think in your presentation, when you mention that you kept focusing on your kids — I don't have a question; I just have a statement to make — it is quite obvious that in your presentation in regard to Bill 160 you certainly focus on the kids. I commend you for that. I think your input in this presentation is important and I'm sure many of us will take it into consideration because there's valuable information, and I admire you for being so objective in the way you looked at Bill 160.

The Chair: I thank you very much for your presentation here along with your children.

1130

SAULT STE MARIE WOMEN TEACHERS' ASSOCIATION

The Chair: Our next presentation is Sault Ste Marie Women Teachers' Association, Loretta Harrison. Good morning and welcome.

Ms Loretta Harrison: Thank you very much. I'm so pleased to be speaking after another mother.

The Sault Ste Marie Women Teachers' Association represents approximately 300 women who teach children in the public elementary schools in this city. We take pride in the partnerships we have with parents, children, school support staff and community agencies to provide a high-quality, publicly funded education for all the children in this community. We want to be in our classrooms today. We want to be there with the necessary resources to maintain the high-quality programs that the people in Sault Ste Marie call "Excellence in Action." That's where we want to be.

How is Bill 160 going to affect the quality of education in this city? It will mean a limited ability to continue to provide high-quality education, loss of our local voice and change without a plan, without partners and without money.

Bill 160 will severely limit Sault Ste Marie schools in their ability to provide quality education tailored to the

needs of the children in Sault Ste Marie. Trustees, the duly elected representatives of the people in this community, will have no power to translate ministry guidelines and local concerns into viable local practices because they won't have the power to tax. Bill 160 will dictate funding priorities at the local level.

Sault Ste Marie has been a leader in special education programming. The primary intervention program offers alternative and intensive reading instruction for children at risk in the primary grades. With reduced funding and an inability to set local tax rates, we will be forced to make difficult choices at the expense of award-winning programs like this one, at the expense of our children and at the expense of quality education.

Can Queen's Park answer to the people in Sault Ste Marie how funding can be cut and still offer innovative programs which meet the needs of this community? Bill 160 centralizes all the power over children, schools, teachers and financing, placing absolute control in the hands of the cabinet. Bill 160 proposes that the methods of school funding and the education tax will be decreed, not debated in a public forum, neither at local levels by elected school boards nor by the provincially elected representatives. Bill 160 castrates the taxpayer, the Legislature, the school boards, the teachers and leaves in its wake a dismantled system.

Education in Ontario has always been about partnerships, within a democracy which recognized the legitimacy of all the voices — the children, the parents, the taxpayers, the boards, and yes, the ministry. Bill 160 is about the unilateral dissolution of these partnerships, partnerships which have created many quality programs in Sault Ste Marie.

The Algoma Fall Festival is a collaboration with the local arts community, local businesses and boards of education to bring arts and culture not only into this northern community but also into our schools. The Lake Superior basin project, an award-winning innovative project, is an example of another partnership forged locally.

These partnerships which exemplify quality in education will be at risk without strong local voices. How can Queen's Park make decisions without including all the partners? The centralizing of power and the removal of local accountability intended in Bill 160 will further isolate the parents and the children in Sault Ste Marie.

Who is a parent in Sault Ste Marie, Heyden, Searchmont or Batchawana going to call if they have a concern about funding when trustees have been reduced in number and are spread over a large geographical area? Will parents and taxpayers be forced to air their concerns through another 1-800 number? We're getting very good at 1-800 numbers.

Bill 160 thrusts change upon the education system with no consultation. This cannot be considered accountable. The mission statement of Bill 160 indicates that it is "an act to reform the education system, protect classroom funding, and enhance accountability."

With partnerships denied, where is the enhancement of accountability? Where are the checks and balances

inherent in democracy to ensure the children in Sault Ste Marie will receive adequate programs and funding when only the cabinet will make monetary decisions? How will the cabinet be accountable to the public when so many decisions will be made with regulations and not debated in the Legislature?

We have received no assurance from our provincial government that savings achieved through reform will go to the improvement of our system. Cutting the cost of education has already had damaging effects in Sault Ste Marie.

Over the last two and a half years we have seen junior kindergarten programs compromised, loss of support staff, larger class sizes, diminished programs in libraries, music and adult education, and the loss of programs and services for students with special needs.

Cutting more money from our education system, whether it be \$1 billion or \$667 million, will not improve the quality of education. Our students deserve resources, programs and qualified teachers. Our students deserve the best. That's what they're used to.

The Chair: One minute left.

Ms Harrison: Look at the ad found in the Sault Star on Saturday. This ad implied that Bill 160, also known as the Education Quality Improvement Act, is a reform that will give more teacher time with students, understandable report cards, an end to larger classes, province-wide testing, more parental involvement, and a back-to-basics. Four of these elements of reform have already been implemented in this city. The remaining two elements, more teacher time with students and an end to larger classes, are not ensured in Bill 160. Bill 160 will result in less time and less individual attention for students.

We say that Bill 160 has no plan to ensure quality education. Teachers have learned to plan for change. The best reforms come when we plan with partners, with a realistic timeline, with a clear vision, and adequate resources.

The Chair: I'm sorry, Ms Harrison. Your time has elapsed. I thank you very much on behalf of the committee for your presentation here this morning.

1140

Mrs McLeod: Mr Chairman, I have a request of the parliamentary assistant, please. Since the ad that was just referenced is one which seems to be running on an almost daily basis concurrently with our hearings and putting out a message that I think has some relationship to the hearings, I think it's appropriate to ask the parliamentary assistant to provide the committee with information as to the daily cost of running that ad.

I know that in seven communities that we were able to investigate, the daily cost for that ad in seven communities was over \$93,000 a day. I would be interested in knowing the total cost on a daily basis that the government is putting into its efforts to communicate a message to the public —

The Chair: Thank you, Ms McLeod.

COMMUNITY LIVING ALGOMA

The Chair: Our next presenter is Community Living Algoma, Don Edwards.

Mr Don Edwards: Thank you, Mr Chairman, and welcome to the committee members. Thank you for the opportunity to bring some of our concerns to you about the proposed Bill 160. My name is Don Edwards. I am a volunteer member of the board of directors of Community Living Algoma and serve as chairman of the education committee. With me is Janice Martineau, the executive assistant of Community Living Algoma who is assigned to the education committee.

We are an association that provides services and supports to people with a development disability across the district of Algoma. Our education committee has community members from north Algoma, east Algoma and central Algoma as well as members from the city of Sault Ste Marie.

We would like to share our concerns with you about some problems we can foresee with some parts of Bill 160. The package we have supplied to you contains documents of our concerns. These documents have been expressed to the local education improvement committee, our three area MPPs and chairs and superintendents of all boards, both public and separate, across the district of Algoma.

Six public boards are being combined into one public board and five separate boards are being combined into one separate board. The vast geographic areas involved will present probably the biggest obstacle when we consider services to the students we serve who have a development disability or, sometimes, several disabilities.

I will try to highlight the problems contained within our documents without reading those documents to you.

The Sault Ste Marie public school board budget figures for special education programs last year are contained to show the committee that this board spends approximately \$6 million on special needs students with approximately \$4 million coming from local property taxes and approximately \$2 million from provincial grants.

Bill 160 will remove the rights from trustees to raise money from local property taxes. Will this government guarantee that the total of \$6 million that is needed will be supplied in the future to maintain these much-needed programs?

The present Education Act calls for special ed advisory councils for all school boards. With combining six boards across the district of Algoma, will there be only one special ed advisory council? With only one SEAC spread across such a vast area, the problems of just attending meetings could be insurmountable.

Our present Sault Ste Marie Board of Education SEAC, which I am most familiar with, has volunteer representatives from 10 or 12 agencies, such as the blind, the hard of hearing, the learning-disabled, the gifted, just to name a few. A combined SEAC of six boards will not have representation from many agencies in the district of Algoma who can express the need for services for many of

their clients who are unable to represent themselves. This will be a great loss.

Since this government has already chosen to make funding cuts to local boards, there has been a significant impact on existing special ed programs. Our documents contain testimonials from parents and students who verify the impacts of those cuts. If these cuts continue, our special needs students will suffer even more.

As an agency concerned about special needs students, we are concerned that the quality staff and teachers who are presently being used in their programs will be eroded if Bill 160 allows unqualified teachers to be used. We suggest that our students need the highest quality of skills that can be obtained and we believe the qualified teachers have those skills.

We believe that teachers of special needs students require extra time to plan and develop their work to adequately educate our clients. We wonder how less preparation time can assist these people, as suggested in Bill 160.

We believe in equality of education across Ontario but we have to ask how services across such a large geographic area as the district of Algoma can reach the desired equality for all students and especially students with special needs. We are certain that many students in remote places like Chapleau and Hornepayne will not get equal programs, for example, as to what the Sault gets.

Bill 160 talks about equalized funding, but we would like to point out to you that special needs programs, by their very nature, require extra funds to support these programs. We want a guarantee written into Bill 160 that sufficient extra funds will be made available to support these special needs programs.

We believe there is a role for non-teaching professionals to assist in the identification of those with special needs so that these students can get remedial help. Bill 160 indicates that non-teaching staff are not part of classroom services, but we maintain that these non-teaching services are vital to those with special needs, and cutting back in this area will harm those who need it most.

We believe there needs to be some regulation of class sizes, as indicated in Bill 160, but we want to remind the committee members that a student with special needs cannot merely be counted as just another student, because teachers need to spend more time with these students and numbers have to be different when a class contains several students who need extra help.

We believe that the best results in education will be attained when the government and education experts such as teachers can agree on working together to help all students, and confrontational clauses contained within Bill 160 should be modified to obtain the support of these experts so that all of the education system can move forward to give Ontario students, including those students with special needs, the best education possible. Only then will Ontario become the best in the country in education results.

Thank you once again for the opportunity to present our views and opinions to you, and we wish you well in your endeavours to put all our students at the head of the class.

Mr Martin: Thank you very much. You make the point at the end, "put all our students at the head of the class." One of the concerns that certainly I have, and others who have looked at the track record and the intention of this government have, is that all our students won't be at the head of the class. There may be a small number of very gifted, elite students who will make it, primarily on their own, but so many other students that we in Ontario have chosen very deliberately to educate and to put in place for them those special supports that are necessary may fall by the way.

To ensure that doesn't happen, and in light of Bill 160, what would be the primary recommendation you would make that they do or not do to leave you less anxious this morning?

Mr Edwards: First of all, we agree that we cannot get equal education, because there's no way that people in northern Ontario can get the same education they can in southern Ontario. The facilities just aren't here. But in terms of special needs students, more money has to be put into the special needs programs because it requires more help. It requires aid sometimes. It requires extra teachers and more planning. You can't remove that type of thing — fewer aides, less planning — and get the desired results to educate the special needs students, who will fall through the cracks if they don't get the supports.

1150

Mr Smith: Thank you for your presentation. I was particularly interested in your comments around SEAC and your concerns regarding geography. I fully understand that. The bill allows, as you've clearly indicated, the ability to establish regulations governing SEACs. I would welcome any comments you have stemming from page 39 of the bill, which deals with issues of composition, establishment, practice and procedures, so that we as a ministry have a clear understanding of the concerns you are fearful of.

Mr Edwards: Someone who represents the learning-disabled in Hornepayne, just by the nature of the distance, will not be able to come to Sault Ste Marie, especially in the wintertime. If they serve on a SEAC, some method has to be produced so these people can participate and offer their advisory counsel to this board. I don't know how that's going to be done. Certainly, there's a lack of communication. We have already told the government that we need more communication so these people can participate.

Mrs McLeod: I want to focus for a minute on some of the inherent dangers in the regulation of class size if it is done without adequate funding. I know one of the concerns obviously is that the boards would be mandated to provide the average class size, but without funding that would mean there might not be any support personnel for special ed students within an integrated class, or any withdrawal opportunities. The government has said there will be no new dollars for 25,000 new students a year who are coming into the system, and on top of that the clear

intent is to take \$667 million out. What does that do to special education in the Sault?

Mr Edwards: Special education has to suffer. There have to be more children identified. We haven't identified all the children who have special needs. We certainly have to have more. If one classroom has, say, six or seven special needs students, the other 18 or 20 who are in that classroom are going to suffer because the teacher has to spend more time with the special needs students.

The Chair: Thank you very much, Mr Edwards, for your presentation here this morning.

LORNE CARTER

The Chair: Our next presentation is Mr Lorne Carter. Welcome, Mr Carter. I believe members of the committee have a written presentation by Mr Carter.

Mr Lorne Carter: I'm a citizen of Sault Ste Marie, a parent with children within the system currently. I have had a fair amount of exposure over the last 20-some years to our education process, having been involved in bits and pieces of it in different capacities, one being a past school board trustee.

Effectively implementing efficiencies in our systems should be the focus of every Ontarian, not just of the government. Things are broken, in a mature state or not in tune with the times. We in Ontario have to break out of our paradigms. We need to get constructive, be our best critics and do away with the attitude that, "We need changes, but not in my backyard." The education system is no different, and in an ever-changing economy it should be the first place for change.

Picture this if you will: a time in the past when Ontario had an education system which was the benchmark for all others, an accountable standard here in North America and very definitely meeting the needs of a growing economy. What happened to those Utopian times when a quality education was a given?

I dare say we have taken our system for granted. We have allowed our system to fall into decay and to accept an education that isn't even second-best.

We have taken the first steps to correcting, and this means change, unfortunately a lot of change.

The move in previous bills to overhaul the centre of our mediocre educational thinking, that being the school board restructuring, was in my estimation a giant step in the right direction. Let me say this: I'm not 100% sure the new system of representation is the answer, and we may still in years to come have to massage and modify that structure, but I do know that something that is accountable has to be better than what we have at present.

Now more specifically to the issues of the hearing: The commitment by my government is to have the highest student achievement in Canada. Nothing I can say can be more noble than that, and in tune with the future. You, the people of our Legislature, have been empowered to make the changes necessary to bring us closer to our goals. I can't emphasize enough that these also have to be our goals as citizens and teachers.

We need reforms that address standardized province-wide curriculum, staged testing and reporting. In private industry we would not stand for 60-some divisions all moving in different directions, so why would we allow our most sacred institution, education, to be so ill-structured?

We need a four-year high school program consistent with the standards elsewhere in Canada and the rest of the world. We place our students at a disadvantage, insisting on another year of schooling, only to move on to post-secondary training matched up with those of other realms on the same level. Where is the sense in that?

We need a school year and instruction time that meet the needs of students. Schools are here to meet the needs of students, and if more time is required for us to meet our achievement goals, then so be it.

We need to expose our students to the innovators and professionals of our society, for they are the ones who embrace change, whether certified or not. I want my children exposed to people like John Snobelen. They make a valuable contribution to our society, regardless of educational backgrounds. Whether certified or not, they are the doers.

We need regulated class sizes and funding based on student needs, not work days. The ways of old are under review and change is inevitable. Let's embrace the new century with new ways and a fresh approach.

We need input from the parents and community to help our school managers with feedback directly from those who are directly affected. In the past we elected school boards because we knew the system had to have community direction. Somewhere on the journey they lost the way; somewhere our voices, as parents and community, fell short of the mark. Bill 160 addresses these fundamental needs and more.

In closing, I want to clearly point out that change is needed if we are to meet the challenges of today, and it is our absolute responsibility to not pass on an inept and unaccountable education system, because the challenges of tomorrow are far greater than today.

Thank you again for this opportunity to take part in the debate on these changes in Ontario. I wish you well in your due diligence.

Mr Bartolucci: Thanks, Mr Carter, for your presentation. Though we don't agree, I certainly respect your right to voice your opinion. Could you please explain to the audience and to the committee what you feel will happen when \$667 million is withdrawn from the education system?

Mr Carter: I can only accept the fact that you have some particular numerals, as you've spoken of there.

Mr Bartolucci: Mike Harris said it.

Mr Carter: Thank you very much for the information.

Mr Bartolucci: What do you think will be the result of withdrawing \$667 million from the education system of Ontario?

Mr Carter: In restructuring our education system, we should actually focus on what needs to be done and not necessarily on the dollar amounts. The dollar amounts will

follow if we determine that we need this or that within the particular system.

Mr Bartolucci: Who said that? Because no one in the government is saying that. Bill 160 certainly doesn't say that. Where are you getting your information?

The Chair: I'm sorry, Mr Bartolucci, your time is up. We go to Mr Martin.

1200

Mr Martin: Thank you very much, Lorne, for your presentation. You certainly this morning make quite a judgement on the effort of — I think in your last comment you said teachers, parents and the community fell short of the mark. We've all, in your opinion, failed in our effort to try and maintain a first-class education system, but this morning you're saying, because we've all failed, to turn this over to John Snobelen, Mike Harris and the present government at Queen's Park. Is that what you're saying?

Mr Carter: I'm saying that we elect governments, as we've elected you, to act on our behalf. You have a whole pile of portfolios that you obviously take care of. I am of the firm opinion that if I elect you to do the job, then I want you to do the job and I'm not going to get in your face all the time.

The Chair: Thank you very much, Mr Carter, for your presentation here today.

Members of the committee, if the checkout time is 1 o'clock, you can bring your bags down here if you get an opportunity because we're going to have a very abbreviated lunch hour today.

Mr Beaubien: How abbreviated?

The Chair: It's going to be just over a half-hour at best. We have made arrangements for seating you in the dining room for that half-hour.

Mr Wayne Wettlaufer (Kitchener): Will there not be some discussion of the length of time that we have?

The Chair: Yes, if you wish to raise it now. We are past 12 o'clock, which the motion of this committee states is the termination time this morning.

Mr Wettlaufer: I feel that the motions that were brought this morning were done for rhetorical purposes only. I feel that the members of the committee who brought those motions knew full well what the effects were, that there would be a delay in time and that it would cause a restriction in the amount of time that the delegations would have to present, and they did so in order to embarrass the government. I personally feel that we do need a minimum of 45 minutes, preferably an hour, in order to have time to check out and to have our meal.

The Chair: We can debate this one too, but we do have five presentations slated before our lunch-hour.

Mr Bartolucci: I don't want to prolong the argument, but I can't believe that anyone would suggest that filling their stomach is more important than filling their heads when it comes to the importance that should be attached to Bill 160. I would suggest to you that we continue working through the entire lunch-hour. If anyone is going to be so famished that they may starve to death, we might want to get some food to that individual or those individuals. I'm

prepared to stay here and listen to the list of presenters and anybody else who wants to be heard.

I suggest that the motions that were presented this morning may have hastened the return of the students to the classrooms of Ontario. They weren't done for any political gain.

I suggest to you that 45 minutes or one hour can best be used listening to what the public has to say, either pro or con, as opposed to eating our lunch. I suggest to the committee that you disband the resolution, not follow it today and listen to the presenters.

Mr Beaubien: Mr Chairman, I'll move that we break at 12:50 and come back at 1:30. That'll give us 40 minutes for lunch and I think that is adequate, reasonable. That's more than half of our time that's allocated for lunch. I don't think we need an hour and a half today. I somewhat agree with Mr Bartolucci. However, Mr Bartolucci, I would like to point out to you that I'm concerned about my health and I like to eat in the morning, in the afternoon and at suppertime. If I'm requesting 30 minutes to eat, I don't think that's unreasonable, sir.

Mr Bartolucci: We can bring you the food.

Mr Beaubien: Plus the fact we have to check out.

The Chair: What was that, 12:50?

Mr Beaubien: Yes.

The Chair: Is there any disagreement with that? We can debate it. We're just debating into time of our presenters.

Mr Bartolucci: I am just disagreeing. You asked for any disagreement. I disagree.

Mr Martin: I just think that we should hear these people. They've come a long way. This is part of the process of being government. When you take this job —

Interjection.

Mr Martin: Could I have my time, Marcel? I listened to you. When you take this job on, it comes with the territory. We have some people who have come a long way, have worked very hard in preparing presentations. We'd like to hear them.

Mrs McLeod: I hope we will sit until we have heard all the presenters. If we don't debate it much longer, we would be able to hear them all and I think still have the time to meet our needs for sustenance. I am concerned, quite frankly, about the health of my daughter who's six months pregnant and on a picket line in a blizzard today. I'd like to hear from the public who have concerns about this bill.

Mr Beaubien: I suggest 12:50. We are five presenters behind. If we vote on it immediately, I think we can hear the five presenters we are behind during that time period.

The Chair: The motion was that we sit till 12:50. All those in favour? All those against? The motion carries so 12:50 is the termination time.

BAWATING COLLEGIATE AND VOCATIONAL SCHOOL

The Chair: Bawating high school, Vincent Greco, principal.

Mr Vincent Greco: I'm vice-principal at Bawating, not principal, but thank you for the promotion.

I'd like to thank the committee for being offered the opportunity to address you today. I've been a teacher since 1966 and for the last 12 years I've been a secondary school vice-principal. Throughout my career, I've been concerned with being able to offer education of a very high quality to the learners of Ontario. I have chaired the research committee of the Ontario Secondary School Teachers' Federation and I've served as president of the Ontario Educational Research Council.

There are many issues in education today, and there always have been. There is room for improvement, and there always will be. Undoubtedly it is a function of a responsible society and a responsible government to be attentive to the needs of students and the character of the educational system. However, it is critical that the decisions made and the approaches taken be determined with integrity and honesty. Good education, not the priorities of politics or business or any other interest, must be the sincere end of all our effort and deliberation.

I have deep concerns and fears with respect to Bill 160. The first is rooted in the very nature of the legislation. Ours is a democratic society. While governments are elected to govern, to legislate, the expectation is that the principles of democracy will be preserved and respected. Bill 160 moves deliberately and dangerously away from those ideals by vesting in the Minister of Education the power to put into law changes in education regulations without debate and without appeal. Whether those decisions are good or bad is irrelevant. There are no checks; there is no balance. The potential for abuse is enormous.

With regard to education, Bill 160 legitimizes a totalitarian approach in government. We cannot risk having any political group, simply on the basis of being elected, free to change and enact law independent of legitimate public debate, most especially in our elected assembly. It has been said that power corrupts and absolute power corrupts absolutely. Bill 160 gives the ministers power far, far beyond the healthy limits good government requires.

I have also been frustrated by the absence of fair and deep analysis regarding the impact of this legislation. The issue of prep time is a good example. That secondary teachers in a semestered school teach for three and three quarter hours a day is true. How that compares with the national average for secondary teachers can be considered, but to blithely presume that cutting prep time and having teachers spend more time in the classroom will bear positive results is simplistic at best. To suggest that the teacher would automatically be spending more time with his or her students is misleading and perhaps dishonest, because unless classes, already an hour and 15 minutes long, are extended, the teacher would be spending that additional time with more students, not with the students in the three classes they currently instruct. If this is the case, the reduction in prep time would result in teachers teaching more classes, having more preparation and marking and having less time to prepare for it. Will this improve the quality of education?

1210

There can be other scenarios, but they could easily require a major overhaul of the way our schools are organized. The impact of Bill 160 is largely unknown because it has not been analysed in any thorough or thoughtful manner. We should not be proceeding with legislation as controversial as this when we really don't have a fully fleshed-out understanding of its consequences. Do the claims made by the government stand up to analysis? How can we know, when that analysis has not been made, or if made, not disclosed?

The need for Bill 160 has been cultivated by the government largely by claiming that our students have not been performing well on national and international tests. There are serious issues with the manner in which the government has manipulated data from these tests, as the Alex Muir school parents' association pointed out earlier today.

For example, in the pamphlet *Putting Kids First* the government only reports the province's standing to the extent it suits its purposes, cutting off the balance of the chart which shows that Ontario students finished ahead of students in 27 other countries or provinces, including the United States, Great Britain and Germany. As far as our finishing behind provinces like British Columbia goes, there are legitimate explanations for this, having to do with the construction of the tests and with the nature of our curriculum, which stresses problem-solving rather than strictly content. We believe this approach makes our students better learners and that the content aspect is addressed later in our schools. Our students don't study linear equations in grade 8, yet they were on the tests. We study that in grade 9. That can be changed, but let's understand what we'd dealing with.

Dr David Ireland, a respected educational researcher in Ottawa, has studied the results, and before we condemn our teachers, our students and our system, we should consider his findings seriously. We have far more to be pleased with than we do to be ashamed of. Honest government does not distort information to justify its initiatives, and honest government would not proceed with legislation the efficacy of which is so suspect, based as it is on distortion.

The Premier, admitting his decision to remove another \$600 million and more from education, vaguely indicates an intention to "do more with less." Before we give him the carte blanche of ultimate power this bill provides, we need clear and direct specifics of just how this miracle will be accomplished. When we see the reduction in special education services and in support services such as school libraries that have already been made in response to the last round of educational cuts, or the increase in class sizes that have been agreed to in some jurisdictions to protect program in the face of these cuts, we must demand that the government be accountable in the legislation it proposes before we can put our students' futures into further jeopardy.

If we are all committed truly to better education in Ontario, we should be able to withdraw this bill and find a

more reasoned solution. Perhaps an independent panel of educational experts could be given the task to develop a new educational model for our province, top to bottom, one that applies the best principles of pedagogy and learning, one that recognizes how the pieces will all fit, one that has a clear conception of how students graduating from our schools will be truly prepared to handle the future in an informed, creative and competent fashion and one for which all the costs are known and for which, as a people, we are prepared to pay the price. If it's worth doing, and it is, it's worth doing right.

The poet William Stafford wrote in *A Ritual To Read To Each Other* that it's important that "Awake people be awake: the darkness around us is deep."

Last week, Premier Harris invited teachers to defy their union leaders and not to go on strike. I would respectfully invite the committee to be awake, to show courage and true common sense by defying Mike Harris. Please recommend that Bill 160 be withdrawn and reconsidered. Thank you.

The Vice-Chair (Mr E.J. Douglas Rollins): Thank you very much. You have exhausted your time.

HOWARD WHENT

The Vice-Chair: The next presenter will be Howard Whent.

Mr Howard Whent: Thank you very much. I know the rules. I believe you have two documents; one is a copy of the brief and then there's a yellow sheet.

My name is Howard Whent. I'm from the town of Wawa. I'm a parent, taxpayer and educator, and I have two kids in the system. I was at the Bill 104 hearings in Thunder Bay, did it at my own expense, and here I am again.

On April 11, I sent a letter to every member of the Conservative caucus; you all got one. In particular, I was incensed at the now minister's, then government House leader's, comments to pass any bill without amendment. I don't know if that's what's happening now or not. A number of your colleagues personally responded and I appreciated that.

I also want to publicly acknowledge that the former Minister of Education, Mr Snobelen, answered almost every letter I wrote to him. The present Minister of Education has never done so. But I think it's like a play; we've got to go backwards to Bill 104. The news release of April 21 sent to me by the Premier said, "The intent of Ontario's Fewer School Boards Act is to reduce the number of major school boards and trustees and streamline administrative overhead to ensure," and I'll repeat, "to ensure more resources are focused on the classroom."

Let's continue on. Bill 104 got passed. All of a sudden its reference totally disappeared. We now have the term "adequate funding."

September and meetings with the teacher federations: Two non-negotiable items: first, improve quality. No one in this business argues against that and no one is for the status quo as the Premier said the other night, and I object

to that strenuously. The more important one was reduce funding, reduce spending to no more than some faulty national average. There are no government proposals about quality, simply a list of proposals of how to cut money.

October: The cast changes. Mr Johnson is now the minister. I want to remind you after your policy convention last week, which was meant to deal with re-election rather than education, Mr Eves stated a week and a half ago that there was no plan to cut \$1 billion, that the funding might increase.

October 21: the leaked document that confirmed plans for reductions are there. At first Mr Johnson said, "I don't know anything about this document," but two days later on provincial television he said, oh, he'd known about it for some time.

The Premier went on TV Wednesday night and talked about the status quo. I have stated my objection to that. Not a comment about more resources in the classroom as promised during the 104 times; no comment about the planned reduction in spending.

Thursday: Both the Premier and Minister Johnson talk about how there are savings possible because of school board amalgamations. A letter from Mr Snobelen dated July 21 makes it clear that you can't even pay for the transition costs with what you're saving.

Friday: The Premier now changes the script again. We now have to pay for the deficit, and you have broken a major promise of school board amalgamation about more resources in the classroom.

1220

But you really have to turn back to January and the Who Does What situation, the absolute promise that it's going to be revenue-neutral. We all saw Al Leach and you people in the House. I watched it being said on TV and followed with great interest, but the municipalities calculated there's hundreds of millions of dollars short and they still believe that's true. So the script changed.

What's really interesting, and I haven't heard anything about this one, is that the number of dollars the municipalities calculated being short is somewhere around the number of dollars in that leaked document. What's really happening? To pay for the download, guess what? You're going to rob education and Bill 160 provides the tools to do this.

I want to focus on one section, division C, taxes set by boards. That's where the boards are given the power to raise money for their own purposes through local taxation. That's made inoperative, but why is it there? You know full well that the cuts are not sustainable, that there's going to be a piling list of needs, year by year, month by month, and somewhere down in the future, lo and behold, section 257.1 will be withdrawn and guess who's going to pay for the damage? The local taxpayer.

There are lots of concerns. They're in that brief and, Mr Smith, if I may ask you personally, I have a binder here of copies to Mr Johnson. I'm pretty sure when you get back to Toronto, you'll find a copy there.

I will not apologize for my concern for the schools in my community. You've got a major political problem. I believe this committee has a role to play so this whole thing does not end in a disaster. No one can win. I am appealing to your common sense. Rise above the powers in politics. I was going to propose these alternatives, but from what I heard this morning, I don't think this government is interested in alternatives. I beg you to consider them.

In closing — and this is a personal one — what would you say to a young child in Wawa, Ontario, who said this: "I work hard. Mr Harris, why do you think I'm such a bad kid?" Your public relations campaign is destroying the psychology of kids in this province and I ask you to stop. Thank you.

The Vice-Chair: We have approximately a minute per caucus, starting with the Liberals.

Mr Bartolucci: Thank you very much for a very, very good presentation. I'm concerned about class sizes, as you know. You know I submitted a private member's bill, Bill 110. The government is addressing class sizes. Which one do you think solves the problem and where is there an assurance in Bill 160 that class sizes will be at a reasonable level?

Mr Whent: I think the whole issue — it's not power. It was very interesting to listen to Dave Cooke on the radio this morning. What the government has done is centralize the issues to the point — and when you talk about collective agreements, that issue, when 98% are solved without any kind of labour stuff at all, what you have done is you've now made it one of two numbers, either zero or 100. I have worked hard and long for 25 years at the local level, bargaining with our board, sometimes disagreeing, but we've worked it out locally. Mr Smith asked the question of the SEAC people about needing local input. For goodness sake, write it in the bill so that's ensured and we can have it at the local level.

Mr Martin: You make reference in your presentation, which was very good, to something I've been thinking of and actually shared with my caucus a couple of weeks ago, which is the belief that this exercise may be very directly connected with the download on municipalities in that the figures are very similar and that by taking control of the tax base and not releasing the funding formula before all of this falls into place, they're waiting to see ultimately what will be the cost re the download and to take that directly out of education by way of the money that they're going to get re this new taxing power they have. Would you care to elaborate a bit further on that?

Mr Whent: First at the local level, and again in material I sent to the previous minister and to Mr Johnson, there's a lot of numbers there. I know that the tax impact in our community of Wawa, and I don't think that others are much different up north, between the download and loss to our schools in a town of 4,400, we're looking at about a \$4-million or a \$5-million hit in our local economy —

The Vice-Chair: Thank you very much. That's the time. From the other side, Marcel Beaubien.

Mr Beaubien: Mr Whent, in your presentation do you equate quality education with the amount of money we spend on education?

Mr Whent: I think the problem is, if you want to turn it the other way, the government's starting with a number that is a set target for spending and working it backwards. You're asking me, do I equate it? No, but you can't start at a budget number and say, "This is what we're going to spend." You talked about adequate funding and I'm simply saying to you, make sure the process is in place that people not just within a select group in Toronto — because you've already centralized that. We need input at the local level into that decision-making with whatever measure. I'm simply saying, give it the time to do it. There is a suggestion to split the bill. I don't know if you're willing to do that or not, but do something.

The Vice-Chair: Thank you very much for your presentation. That exhausts our time.

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
NIPISSING ELEMENTARY UNIT

The Vice-Chair: We call on the next group, which is the OECTA, Nipissing elementary unit. If you would come up and introduce yourselves for Hansard, we'd appreciate it.

Mrs Anna-Maria Aquino: Good afternoon. My name is Anna-Maria Aquino. I'm a parent, a teacher and vice-president of the Nipissing elementary unit of OECTA.

Mrs Susan Van Schaayk: Good afternoon. My name is Susan Van Schaayk. I'm a parent of three children who attend our local separate schools in North Bay. I also teach kindergarten and grade 1 at St Joseph School in North Bay.

Mrs Aquino: The Nipissing elementary unit of the Ontario English Catholic Teachers' Association welcomes the opportunity to appear before the committee to address our concerns about Bill 160. Bill 160 proposes to establish centralized control of the education system, to enact radical changes in current education labour practice and to diminish the significance of existing professional teacher qualifications. The proposals contained in this legislation will have a profound impact on the delivery of educational services for northeastern Ontario communities.

The Nipissing District Roman Catholic Separate School Board presently serves communities over an area that extends from Huntsville to North Bay and from Mattawa to Sturgeon Falls. The schools have served Nipissing by emphasizing the cooperation between church, home and school, which is vital to achieving the educational outcomes valued by our community.

The teachers in Nipissing are proud of the quality of education that has been offered in our communities. We are proud of the education programs and initiatives that began in North Bay, of the Nipissing educators who have been identified as leaders in education, of the students who

have graduated from our schools and become the citizens, the professionals and leaders in Ontario's communities.

The success of our schools in Nipissing has been based on the cooperation of church, home and school working together to provide the best possible educational services to our students. Catholic parents, teachers, support staff, administrators and trustees have worked together to identify the needs of our students and to provide the services that are deemed essential.

The largest component of our success has been based on the reality that the individuals involved in providing educational services — educators, support staff, administrators, trustees — are part of that community. We are citizens, voters and ratepayers in our communities. We live in the community. We belong to a large variety of community organizations, including our local churches. Our families are raised and educated in Nipissing.

The Nipissing Catholic community has advocated for equality and equity in educational funding for many years. The principle that a community should receive the same amount of funding for their students, regardless of whether the school community is in southern or northern Ontario, or is within an urban or rural setting, or is part of a separate or public system, has been a basic tenet of social justice.

It is difficult to assess the future of education funding when the government has not yet presented a funding model. However, some principles should be considered. The average amount spent per student in Ontario does not necessarily indicate that it is the best bang for the buck. Too often, that amount represents only the officially recognized portion of education costs. Over the past decade, parents, students and educators in Nipissing have augmented the basic funding amount per student through fund-raising, user fees and donations to the classroom. The continued reliance on such activities will in itself create new inequities between schools. Education funding should rely on the principle of complete funding per student based on the needs established by the local community.

Ontario has evolved an education system based on local community wishes, direction and control. One of the most fundamental aspects of Roman Catholic denominational educational rights is the right to elect trustees from individual Catholic communities, to tax within its community, to manage the business functions of local school boards and to engage in meaningful contract discussions. The separate school system in northern Ontario must be controlled by, and be responsive to, the wishes of the local Catholic community it serves.

There are several aspects of the proposed legislation which are troubling. Sections within the proposed legislation firmly establish central control of education financing based far from the local communities. The authority to set education taxes would rest with the Minister of Finance rather than the local community. The expenditures within the proposed framework would be established on a provincial rather than a local basis. There seems to be no provision which would allow for the local community to

provide meaningful input concerning the needs, expectations and demands of the students, parents or educators in local community schools. A provincial funding model, as proposed by Bill 160, would not seem to be responsive to the local needs and wishes of the local community. The success of the schools in Nipissing has been based on the consensus reached by the stakeholders in the local community. The effective dismantling of this process will not serve the students, the parents or the community well.

1230

A collective bargaining agreement in the education sector has always reflected the consensus of the community in regard to the classroom expectations for both students and educators. The establishment of teacher working conditions has always reflected the student learning conditions within the community. The checks and balances present in Bill 100 allow for the development of mutually beneficial agreements that served the community, the students and the teachers well. The communities in Ontario have benefited from the stability and the equity found in that collective bargaining process. In 96% of all teacher collective bargaining sessions, agreements were reached without the use of job sanctions. There does not need to be a limitation on the right to free collective bargaining and the right to strike. It is a response to a problem which does not exist.

Teacher collective agreements were reached by the stakeholders who lived in Nipissing, who recognized the needs within the community and understood the implications of those arrangements on the community. Local ratepayers, parents, students and educators have an interest in ensuring that the classroom learning conditions are well addressed. Removing such issues as class size from the authority of local stakeholders to address through consensus reveals a disregard for the value of democratic input by all members of the local community.

The success of schools in Nipissing relies on the stability of the community within the schools. Relationships between parents, students and educators are based on trust. That trust is established over time. The minimum amount of time necessary to ensure continuous student progress is a school year. Additional time is required to allow parents to be comfortable with the expectations of the school as their child moves through the grade levels.

In a larger context, the statutory rights of teachers are, in reality, provisions to encourage stability within the school community. The requirement for probationary contracts, existence of statutory contracts and the current transfer provisions should be regarded as stipulations made by the community to ensure the continuity of education services in the schools. A classroom which can be continuously disrupted by an arbitrary process of uncertainty, transfer or dismissal is an environment where the best learning will not be available to the students. A school which does not have the opportunity to develop the teamwork which is crucial in education will not be able to support essential parental involvement. A school system which is not able to promote a consistent vision of educa-

tion among all of its employees will not be able to prepare for the changes in information and technology in society.

The stakeholders in the Nipissing community have committed themselves to ensure that all parties to the education process can be assured of fair, consistent treatment. Bill 160 does not facilitate this process. In fact, it will create tension, anxiety and stress within the local community.

The Chair: There's one minute left.

Mrs Aquino: In the past, the government recognized the need to encourage the professional development of education workers to allow for the provision of trained, qualified experts at all levels of education. Teachers were encouraged to seek specialties in all education fields to allow expanding information and technologies in our society to be incorporated into the classroom. Educators have become lifelong learners who are highly qualified and highly trained to manage the challenge of today's classroom. Bill 160 would allow for the provision of untrained specialists to enter the classrooms of Ontario. These individuals would face the same students, curriculum and challenges which are present in every classroom but would not have the same training in child development, curriculum programming and teaching methodology.

Research has clearly indicated that teachers do not confine their work to the time period between 9 and 3:30. Reputable estimates place the amount of work-related time completed by teachers at between 40 and 60 hours per week. In Nipissing, before-school and after-school work periods are expectations which teachers have always met as part of the teaching assignment. That time is devoted to developing materials to prepare for the needs of the students in the classroom. Additional time is devoted to professional upgrading during evenings, weekends and summer vacation period.

The Chair: I apologize for interrupting, but the time has elapsed. I thank you very much for your presentation here this morning.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, MANITOULIN DISTRICT

The Chair: Our next presentation is OSSTF, Manitoulin district, Mr Jack Mallette. Welcome.

Mr Jack Mallette: I've been a resident of Manitoulin Island for 16 years. During this time, I've taught in both the federal and provincial school systems, for six and 10 years respectively. I'm currently employed by the Manitoulin Board of Education. The Manitoulin board has four elementary schools and one secondary school with a total population of about 2,000 students. Our education system is very lean, having no consultants or superintendents. Needless to say, when funding cuts are experienced, they tend to impact more severely on smaller boards like our own. Let me begin by sharing with you today some of the more apparent local effects of cuts already imposed by the Harris government.

In June 1996 our board of education was struggling to come up with ways to deal with less money from the provincial government. The elimination of the junior kindergarten program was considered as a means to adjust to the fewer dollars coming from the province. Going to the taxpayer was not an option since they were directed by the then Minister of Education not to increase taxes. The program was cancelled at the monthly board meeting. Only after considerable public outcry was the board decision eventually reversed. However, the return of the program was conditional upon finding ways of raising extra dollars by extraordinary means. The board agreed to run the JK program if a group of kindergarten parents would raise a substantive amount of money. The fund-raising committee met its target and the program has managed to survive. I wonder if this is the government's idea of a quality education system? I have some very serious concerns when I hear about such fund-raising schemes that are beginning to replace the use of education grants in support of school programs.

My children attend Central Manitoulin Public School in Mindemoya. This school has a very dedicated and talented staff which has provided my children with a full range of programs and varied educational opportunities. Recently they have lost their music teacher due to funding cuts. Three of our other elementary schools have seen their music programs downsized or eliminated altogether. Our students have benefited greatly by having such programs. These are not so-called extras. These are the programs that keep our children motivated and inspired.

Many of the states south of the border are now taking a second look at similar cuts made to such programs over the last decade. Some US state legislatures are now increasing education budgets to compensate for the loss. We should learn from their experience.

Cuts to programs such as music, art and programs for special needs students have already had damaging effects. At Assiginack Public School, where I teach, our special education program has been cut in half. Other schools across the island have had their special education programs reduced as well. We must put a stop to these cuts and provide for the needs of our children with a well-rounded curriculum.

The issue of increased class sizes is also of great concern to me. The government has claimed that lower class size does not significantly improve student learning, and then they proceed to blame unions for negotiating larger class sizes for their personal gain. This government seems to take on whatever argument serves them best in any given situation, regardless of whether one statement totally contradicts another.

Is reducing or limiting class size a priority for this government? I would suggest that the government has the opposite goal in mind.

During the previous three years, the Manitoulin school system has experienced a staffing reduction of 5%. When there are fewer teachers in the schools, administrators are quick to point out the only two realistic options: (1) increase class size or (2) eliminate programs. Neither of

these options serves our students well and runs directly counter to the stated goals of the Harris government, that being improving the quality of education in this province.

Through formal and informal bargaining, both at the local level and provincially, class sizes decreased from 1976 to 1991. Since that time, it has increased back to its 1988 level. In my 10 years' experience at the negotiating table as a federation representative, we've always fought for lower class sizes. Bill 160 will do nothing to reduce or limit class sizes. In fact, I would suggest that the outcome will have an opposite effect.

The larger Manitoulin community has been busy discussing the possible ramifications of Bill 160 during the past several weeks. Three of the four elementary schools have had Bill 160 information nights for parents hosted by local school councils.

1240

During these meetings parents expressed many serious concerns about the impact Bill 160 may have on the future of education. One of the most frequently raised issues dealt with the potential use of non-certified teachers in schools, as proposed in section 81 of Bill 160. Parents were unanimous in their objection to this part of the bill. They are confident about the education, training and abilities that are required of their children's teachers. Parents will have severe difficulty accepting these so-called community experts as school teachers. They, the parents, recognize the importance of teacher training and feel the current standards expected of their teachers cannot be compromised. Outside specialists are not to be confused with or used in lieu of properly certificated teachers.

Local autonomy was the subject of much discussion at these information nights. The director of education, Mac Hall, made it very clear at one such meeting in particular that decisions made in the future may not come with the best interests of the Manitoulin community at heart. He noted that local control will fall into the hands of Toronto politicians. Decision-making powers which had been held by locally elected and accountable trustees would be legislated over to the politicians at Queen's Park.

Local autonomy in education has been an important principle since the days of Egerton Ryerson. Mr Hall mentioned what I believe clearly points to the merits of local decision-making. The Manitoulin board had been agonizing about the decision to proceed with what they felt was an important and much-needed addition at Central Manitoulin Public School. In order to go ahead with the project, taxes would have to increase. After lengthy and often heated debate, the board finally decided to see the school addition through. Bill 160 will effectively kill this type of productive and democratic process. Our trustees will be nothing more than pawns of the provincial government as this power shift evolves.

Shortly after these information sessions, the school council at Central Manitoulin Public School sent Premier Harris a letter outlining their position on Bill 160. It reads:

"Dear Mr Harris:

"We, the Central Manitoulin Public School (CMPS) school council, do not support Bill 160. We stand with

those who oppose it. We are against the government taking control of the education system as Bill 160 dictates."

Of particular interest to the proceedings on Bill 160 is a meeting which took place at Manitoulin Secondary School on Thursday, September 18, 1997. This forum included students, staff, board administrators, trustees and parents. Local politicians were also invited, as well as any member of the Harris government willing to defend the merits of Bill 160. The government did not respond to the invitation and a representative was not made available for these discussions. To my knowledge, Manitoulin was the only jurisdiction across the province to organize such an event. Our secondary students organized this panel discussion through the school's ethics committee, and in my view should be commended for their leadership and civil responsibility.

Secondary school students had many questions and concerns about Bill 160. The panel discussion group presented possible implications of this legislation and student reaction was considerably negative. There was an obvious air of disbelief among those in attendance. One such student, Brock Case, stood at the microphone and asked, "If this is what the government is planning, why don't we walk out now?" During this same session, another student, Amy Skippen, remarked, "This government sounds like a dictatorship." These types of comments are indicative of the overall view of Bill 160 in general and of the Harris government in particular.

In my view, the proposed legislation contained within Bill 160 is nothing more than an attack on teachers. It is an unprecedented power grab by a government desperate for control over all matters concerning education. The unlimited powers this legislation gives the minister and his appointees on the Education Improvement Commission are undemocratic. As a grade 8 history teacher, I can't help but wonder if we have really learned the lessons of the past. It would seem to me that giving such powers to a small, select group of people was the cause of great public discontent and insurrection during the 1830s. Centralization of power is not better; it is simply a better forum for corruption. The government needs to back off on Bill 160.

Ontario educators are not afraid of change. We welcomed provincial testing, along with more accountability. We were full participants in the creation of the Ontario College of Teachers. The new report card: We're using it. The new K to 8 curriculum: We've implemented it. These new initiatives are under way with our full cooperation, without any in-service provided by the ministry, and in spite of their short time lines. What we do fear, members of the justice committee, is a collapse in publicly funded education in Ontario.

The Chair: Thank you very much, Mr Mallette, for your presentation. Time has elapsed.

MANITOULIN WOMEN TEACHERS' ASSOCIATION

The Chair: We'll move to the next presentation. I remind members of the committee that our presenters are

our guests and should be treated as such. Manitoulin Women Teachers' Association, Wendy Gauthier.

Mr Bartolucci: While she's getting ready —

The Chair: She is ready. Please proceed.

Mrs Wendy Gauthier: Good afternoon. I'm Wendy Gauthier and I am a teacher. For 21 years I have taught grades 7 and 8 at Little Current Public School for the Manitoulin Board of Education. There are four community-based elementary schools and one central high school on the island. In January my board will become part of an amalgamated board which includes Sudbury and Espanola. I am grateful for the opportunity to speak on behalf of my colleagues today.

When Adam and Eve were driven out of paradise, Adam is believed to have remarked to Eve, "My dear, we live in an age of transition." Change is an important part of our profession. As our society changes, so do the children we teach. Teachers welcome change. The profession has been required to respond to a myriad of changes in the last decade. I feel like an oldtimer when I say that I have seen changes in education come and go like fashions. They can be studied, tried on for size, bought, go out of fashion, shelved for a while, or they can be valued and saved. We recognize the need for new curricula. We study new teaching methods and embrace new technology.

Bill 160 means change, drastic change. The scope and the magnitude of changes proposed in Bill 160 appal my fellow teachers. The government is trying to seduce the public under the false banners of quality, accountability and equity as it attempts to sell Bill 160. If the bill was truly about quality, accountability and equity, teachers would welcome it. Bill 160 threatens the quality of education that teachers will be able to deliver to their students. The bill will create fundamental changes in virtually every aspect of the delivery of education in this province.

I will centre my discussion today around funding and the centralization of power, two areas of concern that I have with Bill 160.

It was confirmed to the public Friday that a minimum of \$500 million per year will be eliminated from the provincial education budget. Presumably there is still 4% to 5% of the money budgeted for education wasted. Boards will have to cut out this "waste." Yes, Mr Harris, you can take another billion, but it would be like the old and the now not-so-funny joke, "The operation was a success, but the patient died."

Since this announcement, I've been left to wonder where cuts could be made within our board without touching the classroom. In our board, the fat outside the classroom has long since gone. Ours is a small board with less than 2,500 students. Busing is required for 75% of our students. There is no public transportation system to provide an alternative means of busing students. There is no other board with whom to share transportation costs.

We have no consultants. School budgets have been frozen for three of the last five years and reduced the other two. My school operated \$4,000 over budget last year. For several years now, our students have been required to purchase their own pencils, notebooks, paper and other

classroom equipment. New texts are required. The science and history texts presently in use were purchased before 1985.

Some 50% of our school's computers use 1987 technology. What they can offer our students is very limited. We are rapidly falling behind. If current government computer grants continue, they will allow for five of the 15 computers to be replaced next year.

The amount of fund-raising has increased in the last few years. Over \$30,000 is raised by our staff and students in our community annually. This money is used for student trips for out-of-class learning experiences, and materials and equipment for the school. In addition, the local Lions Club and our home-and-school generously support our school through their donations of money to fund such things as professional development opportunities and equipment. Just how much fund-raising can be done by a teacher before it interferes with the teacher's main responsibility, that of teaching her students?

The board is providing what it can for our schools. It has worked with its teachers to limit the negative effects of previous funding cuts. Teachers have accepted larger class sizes to prevent the loss of junior kindergarten in our schools. They have accepted larger class sizes to prevent split classes. Our teachers' salaries have only increased by 1.25% since 1990.

Important changes such as new curricula and new report cards require the support of resources and knowledgeable resource people. New curricula, no matter how well written, always require careful study in order to be implemented successfully in the classroom. In the past, when a new curriculum was introduced, a teacher representative from our board, along with others in the region, would meet with regional ministry officials to review the new document. Following this, our board representative would meet several times with other teachers in the board who would be using the new curriculum. This process would provide for a smooth and standardized implementation of the new curriculum board- and region-wide. The process was both effective and efficient.

With funding cuts, this process has been eliminated. Now there are no available regional ministry officials with whom teachers may consult and there is little funding for the board's teachers to meet. There will be little outside support for the implementation of new documents. How will this result in a standardized curriculum for children from school to school and board to board across the province? The frightening thing is that new funding cuts allowed for in Bill 160, along with a reduction in professional development days, will increase the difficulties teachers will have in implementing new and potentially good changes. The students will suffer.

Teachers have worked hard to deliver the best programs they can. The thought of more cuts frightens us. How can we maintain quality programming for our students from JK to the OAC level? There is nowhere left to cut. Cuts will affect the classroom, our students. They already have. I say to Mr Harris, you cannot get more for

less. Rather than being worried about how much education costs, you should think about how much it is worth.

I won't pretend to understand the implications of Bill 160 fully. To do that, one would have to know what the government actually plans to do with the bill once it becomes law. Key provisions in the bill will be left to regulations: regulations which will be identified later and determined by cabinet outside the normal legislative process at Queen's Park. The bill provides for centralized decision-making by the minister and the cabinet, effectively shutting out the public, parents, teachers, and taxpayers alike. Where will the accountability be?

Like my fellow presenter here from Manitoulin, I was teaching grade 8 history last week. How ironic that just last week I was teaching my history students about the causes of the 1837 rebellion in Upper Canada and the struggle for responsible government. Government in the 1820s was controlled by the colony's élite, the Family Compact. Power was centralized in the hands of a few who neither invited nor accepted input from the people.

As I was teaching, I was thinking: "Wow. Is this a case of history repeating itself?" With Bill 160, the Minister of Education and his chosen few, his very own Family Compact, have almost limitless power to make decisions without input provided from the people through legislative debate. By its very nature, Bill 160 threatens everyone's sense of democracy. The greater the power the more dangerous the abuse.

Presently, there is a balance of power in decision-making between school boards, teachers, parents and government. It is a healthy situation with its own checks and balances. Local needs can be addressed. Parental involvement in education has increased. We have active home-and-school groups as well as parent councils.

Bill 160 gives extensive new powers to the Minister of Education to override collective agreements. Collective bargaining is a means of guaranteeing working conditions for teachers. It is a fundamental right in a democratic society for employees to be able to negotiate all terms and conditions of work with their employers. As you've likely heard countless times, our working conditions are our students' learning conditions. Manitoulin's elementary teachers have traded off, time and time again, more direct employee gains in order to achieve more student-centred elements in their collective agreements. Manitoulin's elementary teachers' wages are proof of that. Our salaries are low in relation to others in the province.

The Chair: I'm sorry, Mrs Gauthier. I'm going to have to interrupt because the time has elapsed.

Mrs Gauthier: Thank you for listening to me today.

The Chair: I thank you very much for your presentation.

We are adjourning to 1:30.

The committee recessed from 1254 to 1331.

CANADIAN UNION OF
PUBLIC EMPLOYEES,
ONTARIO DIVISION

The Chair: Good afternoon, ladies and gentlemen. Our first presentation this afternoon is CUPE, Henry Rowlinson.

Mr Henry Rowlinson: Good afternoon. My name is Henry Rowlinson. I am president of Local 3152, a separate school board local, and I also represent 2,400 CUPE members in the city of Sault Ste Marie and Algoma district as district CUPE council president.

On behalf of the 180,000 members of CUPE here in Ontario, and in particular the 40,000 school board workers we represent in this province, I would like to thank the committee for this opportunity to speak on Bill 160.

Let me begin by saying that the timing of these hearings is indeed ominous. I believe I can say without argument that it is precisely because of this legislation that Ontario today is witnessing its first-ever province-wide teachers' strike. This single, indisputable fact is proof that opposition to Bill 160 is sweeping and it is community-wide.

Teachers, school board workers, parents, students, parents' associations, school boards themselves, all are united in their belief that this bill has nothing to do with improving quality in education and everything to do with this provincial government's attempt to seize control over virtually every aspect of public education in Ontario.

The implications of this bill for Ontario's teachers will no doubt be covered at length in presentations from our sister unions, so we will confine our comments to simply stating to the committee, as we have stated publicly, that CUPE is solidly united with the teachers' unions in their defence of quality public education.

We have asked our locals in the education sector to respect the teachers' picket lines should they be forced to take job action to fight this legislation. We fully expect they will do that.

Let me now turn to the underlying objectives of Bill 160. Our analysis of Bill 160 concludes that they are fourfold:

(1) Pulling up to \$1 billion out of the system, a position the government now seems to be backpedalling on.

(2) Downsizing education in dramatic fashion by merging school boards and gutting our system of elected trustees.

(3) Laying the groundwork for full-scale privatization, so-called outsourcing, of school board services and jobs.

(4) Centralizing control and funding of school boards by removing control of education spending and taxation from school board trustees.

Let me address these issues directly.

On funding cuts to education, this government was elected on a platform which stated quite clearly, "Not one penny would be cut from the school system," and yet to date you have cut hundreds of millions of dollars directly from education while slashing funding for junior kindergarten and special needs classes and much more. Your

now demoted former education minister is on record as saying an additional \$1 billion in cuts would be needed. Your new minister is now trying to distance himself from this statement.

While Ontarians may be looking for sensible, progressive changes to the education system, they are not looking for, nor do you have a mandate for, wholesale gutting of the public education system, which belongs to the people of this province.

On merging school boards and virtually dismantling our system of elected, accountable trustees, let me remind the committee members that, as we speak, communities across this province are actually having trouble finding candidates to even run for school board trustee positions. This is because your government has made them virtually meaningless positions. As a result, on November 10, when Ontarians go to the polls in municipal and school board elections, they will effectively be witnessing the death of democracy in the school boards. I suspect this may have been your intention all along.

On the question of school funding and taxation, again this bill gives the minister complete control of the method of calculating what individual boards should get, and yet it provides no further details on how this will be done. Surely, given its dismal record of consultation thus far, this government does not expect the people of Ontario to simply trust them on the critical issue of school board funding.

Equally disturbing on the question of taxation powers, the bill states that the minister is now in charge of setting tax rates, wresting control away from local taxpayers on how much they pay in school taxes and how much money their board will receive in turn.

Probably most disturbing to us as the province's largest union is the way in which this bill opens the door to widespread privatization and outsourcing of our publicly funded education system. Let me state categorically that CUPE is adamantly opposed to any such move and will fight to ensure that public services in this province are delivered by public employees and not turned over to private companies whose only interest is in making a profit.

While I know this may come as a shock to some of the Reformers in your caucus, our education system is not for sale. This bill is in fact the government's third attempt to deunionize the public school board sector, the first two attempts being Bill 104, which tried to mandate outsourcing of non-instructional work, and Bill 136, which tried to eliminate collective bargaining and the right to strike for school board workers. Education workers fought successfully for amendments to Bill 104 and Bill 136. They knew the government's attack on unionized school board workers was a direct threat to the quality of education.

If Bill 160 is enacted as is, school maintenance staff and custodians, cleaners, administrative and clerical staff, educational assistants, foodservice workers, technicians, bus drivers, library technicians, ESL and adult education instructors and other school board support staff who are

now public employees could soon be working for half the wages they currently earn. Those who may still have their jobs will see their working conditions altered dramatically.

It is not only morally unacceptable for a provincial government to be promoting such an agenda, it will also mean more bad news for struggling local economies across Ontario which are still trying to recover from years of recession and job loss.

This province needs good jobs, not low-wage jobs like ServiceMaster jobs that pay \$6 or \$8 an hour. While this may be the type of Ontario you envision, where workers are in a race to the bottom, we reject this vision outright.

Is this government worried about the impact funding cuts have already had on the quality of education? We think not, since these are the very cuts which have paved the way for privatization, whether through contracting out of non-instructional services, charter schools, leaseback schools or outright diversion of funds to private schools.

There is little doubt that this government believes a privatized education system would be a better one. The reality is the vast majority of Ontarians disagree with them. You don't have to take my word for it. An Angus Reid survey conducted in June of this year for the management consulting firm of Ernst and Young concluded that 70% of Ontarians are opposed to contracting out of services to the private sector.

The outcome of this legislation, Bill 160, will determine whether the high-quality education system we now have in Ontario will be able to continue to meet the needs of all Ontarians or whether the provincial government will get the control it wants in order to use the system to achieve its more narrow objectives.

Bill 160 is not about improving the quality of education. It is about this provincial government taking control of education away from local communities, and no amount of Orwellian doublespeak will convince the people of Ontario otherwise.

Our recommendation to this committee is to stop the teacher-bashing and the school-board-worker-bashing, scrap this legislation and begin a process of meaningful dialogue with parents, school boards, students and school board workers about the real changes that are needed to our education system.

The Chair: We have a little over a minute per caucus and we start with the government caucus.

Mr Smith: Thank you, and I'm sure one of my colleagues might follow up after. Just to provide some clarification, because I know Mr Ryan alluded to the same thing in Toronto, of the 672 trustee positions that were available, only four have been filled by acclamation, so there is interest in trustee positions out there.

I think you alluded quite correctly, though, that the issue of outsourcing is not captured under this bill. It's under Bill 104, and amendments, albeit minor, were made to that. I recognize that CUPE wouldn't be completely satisfied with the language, but certainly there was some amendment to Bill 104 on that issue.

1340

Mr Bartolucci: Henry, thank you very much for a very thoughtful presentation. You might want to tell the committee what you feel withdrawing \$667 million from the system, as Mike Harris has said he wants to do, will do to our quality public school education system.

Mr Rowlinson: With the last round of cuts locally here, the separate school board laid off a lot of teachers, they cut back the care staff so that we clean the schools every second day, and this was due to the fact we didn't have the funds to keep our teachers and our support staff working.

Mr Wildman: Thank you, Henry. Why is it that you, as a representative of the support staff of educational workers, are so concerned about what appears to be a battle between the teachers and the government? Why is it you're particularly concerned about this and would come and make what is a very good presentation on the issue?

Mr Rowlinson: For the fact that in the bill it states the government is going to have total control of every employee in every school board in Ontario. What they didn't get in Bill 136 I think they're going to try to get in Bill 160.

The Chair: Thank you very much, Mr Rowlinson, for your presentation here today.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 30 (ALGOMA)

The Chair: Our next presenter is OSSTF Algoma. Welcome, gentlemen. Please identify yourselves for the record and then proceed with your presentation.

Mr Jim Agnew: My name is Jim Agnew. I'm president of the Sault division of the Ontario Secondary School Teachers' Federation. Geoff Shaw is president of District 30 (Algoma), and Wayne Jackson is provincial councillor for District 30 (Algoma). I'll ask Wayne to begin.

Mr Wayne Jackson: Thank you very kindly, Jim. Committee members, I'm pleased to be here.

The executive of District 30, Ontario Secondary School Teachers' Federation, welcomes the opportunity to address the standing committee on administration of justice.

Too frequently governments embark on initiatives without demonstrating a sensitivity to those concerns that will most dramatically affect groups, without consulting them. The manner in which this bill was introduced, the intention of the government for speedy passage and the unprecedented scope of its contents are matters which should concern all citizens in a free and democratic society.

Furthermore, we're very concerned about the process of establishing the public hearings, part of which we are involved in here today. Our concern is that it may merely be an appearance of consultation. The allocation of 10 minutes before this committee does nothing to dispel our concern about the perfunctory nature of this process. We too are struck by the attempt by the governing party to

stack the committee with sycophants who parrot a government line which is anti-government, anti-community, anti-union, anti-worker and citizen.

At the outset, let us communicate to you the fact that our members are very bitter about the way in which the government has treated education and education workers. Our anxieties are further aggravated by actions that assault the very basis of Ontario's system of public education and insult every teacher and student in the province.

The proposed EQIA removes any pretence that school boards, regardless of their numbers, could truly maintain local management and control of school affairs. The provisions of the EQIA also make it apparent that teacher federations are no longer to be treated as partners in the process of establishing optimal teaching conditions for both students and education workers.

Under the bill, Queen's Park will have sweeping and dictatorial powers over every detail of the education system. The bill covers all facets of the education system: taxation, school boards, funding, classroom conditions including length of school day, class sizes, teachers and school councils.

These changes will be made behind closed doors and consequently are subject neither to the scrutiny of the Legislature nor to public debate. The regulatory path circumvents the Legislature, the public and the media.

Mr Geoff Shaw: I'd like to highlight a few items in terms of what we're heading "Tory Record of Abandonment," the Harris government's actions as far as education is concerned.

So far the government has proposed improving literacy by cutting high school English from 550 to 360 class hours.

It has proposed improving rigour by reducing high school credits from 110 to 90 hours.

It has virtually eliminated junior kindergarten and adult classrooms.

It has imposed a new grade 1 to 8 curriculum overnight and demanded instant implementation with no real training or resources.

It has refused to acknowledge any positive accomplishments in public education.

It has wasted over \$1 million on political propaganda concerning our education system, and more yet to come.

It has deliberately distorted international test results to make our students and teachers look bad.

It has created mega school boards responsible for huge geographic areas or large numbers of students with no power to respond to local needs.

It has misled the public on the length of the school year.

It has deceived the public by stating that it was not intending to add to its already severe cuts to the education system. It has already taken \$800 million out and threatens now to remove another — well, I keep hearing under \$700 million but I think it's going to be closer to \$1 billion. I think that figure is still there.

Bill 160 is the blueprint for the privatization of public education and the creation of a two-tier system. Does Ontario want good private schools for the wealthy and

impoverished public schools for the rest of our children? That's the question we have to answer.

Teachers are not opposed to change, but they are opposed to ill-considered and ill-advised change. We're committed to change when change will improve the system.

We will have a revised and modernized curriculum in this province, but it will be the result of collaboration among parents, teachers and the government.

Bill 160 states that regulations will be made governing how education is funded. It gives the minister complete control of the method of calculating what boards should get, but there are no details. We're promised they're coming.

The province has been given reports from four panels concerning funding but it refuses to make them public.

How will the new funding model address the disparity in boards, like the new district school board 2 where the per pupil level of funding now ranges anywhere from \$6,000 to \$11,000? Instead of adequate funding, will a race to the bottom ensue? Will our only equity be the right to share poverty?

Mr Agnew: I'd like to address the collective bargaining issues.

It's clear from reading the bill that the ministry's regulatory scope leaves little, if anything, meaningful to negotiate at the local level. A reading of the bill makes it abundantly clear that every single minute of a working day will be controlled through regulations from the minister. The minister has not in this case provided a toolkit for the boards to wield; he has rather created a toolkit for himself.

The minister is empowered to make regulations, to designate positions that are not teaching positions. The bill places no limit on this authority. The fundamental question is, do we want trained teachers in charge of our children's classes or uncertified specialists?

The Toronto Star states:

"The bill prescribes no limits whatsoever on how the government can change the qualifications required to work in our schools. This or future governments could simply decide that a teaching credential is no longer necessary to take over a classroom. This provision of Bill 160 just doesn't make sense...."

The bill gives the minister the right to control preparation time. Preparation time could be decreased, cut out altogether at the high schools or the elementary schools. The argument is made that somehow this is directly related to improving education. This is nonsense. Less preparation time for teachers will inevitably mean increased workload for education assistants and less time for the teachers to assist in preparing programs for special needs students.

1350

Again, in the Toronto Star: "The Tories also keep saying that cutting prep time would increase the amount of time students spend with teachers." That isn't true. Students will continue to have exactly the same number of classes. The only difference will be that there will be

fewer teachers with more duties. This is about teachers spending less time with more students.

I'd like to give you six principles that we think you should use in looking at the restructuring of education:

(1) There should be a guarantee, under the control of local school boards, of funding needed to ensure quality education for students.

(2) The restructuring should guarantee qualified, certified teachers in every classroom.

(3) It should guarantee that teachers continue to bargain all terms and conditions of employment directly with those responsible for teacher working conditions and student learning conditions.

(4) It should minimize the regulatory control at Queen's Park and its provincial bureaucrats.

(5) It should reinstate shared decision-making on educational policies to protect students and their programs.

(6) It should provide the Education Relations Commission or the Ontario Labour Relations Board with the authority, if necessary, to determine the transitional bargaining issues resulting from the merger of bargaining units.

In the end, Bill 160 is not about improving quality, but extracting a further \$1 billion from our schools, denigrating public education, eliminating programs, laying off up to 10,000 teachers and replacing teachers with unqualified personnel.

The Chair: Thank you very much for your presentation here today. Our time has elapsed.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION, DISTRICT 30,
OCCASIONAL TEACHERS' UNIT,
SAULT DIVISION

The Chair: Our next presentation is OSSTF, occasional teachers' division, District 30. Welcome.

Ms Janet Telford: Good afternoon. The Ontario Secondary School Teachers' Federation, Occasional Teachers' Unit, Sault Division represents approximately 70 teachers with the Sault Ste Marie Board of Education.

These certified teachers do not have permanent jobs. Approximately five teachers are in long-term assignments for varying lengths of time this semester, substituting for a particular teacher. The majority of the teachers are on an on-call basis. That means these teachers do not know where, or if, they are teaching each day until early in the morning, some time between 7 and 7:45 am. The occasional teachers' unit has a collective bargaining agreement between the occasional teachers' unit and the Sault Ste Marie Board of Education.

As president of the occasional teachers' unit, I would like to thank this committee for this opportunity to comment on Bill 160. The introduction of Bill 160 on September 22, 1997, was touted by the government as "another step towards providing students with the highest quality education in Canada in the most cost-effective manner." It was also stated, "The bill would support a

reformed education system that would be better managed, more accountable to parents and taxpayers, and would improve student achievement through their limiting class size and increasing the amount of time students spend with their teachers."

The government is engaged in the restructuring of public education and education finance. Quality education issues should not be decided exclusively by ministerial decree at the provincial level. The teachers of Ontario believe that restructuring issues in the workplace can be resolved fairly and effectively through free collective bargaining at the board level.

For education restructuring to succeed, the following principles must be adhered to: (1) There must be no adverse impact on students and programs. (2) Every student in every Ontario classroom must have a qualified teacher. (3) Teachers must be entitled to have all terms and conditions of employment negotiated through direct and free collective bargaining with their employer. (4) Local school boards must maintain their constitutional right to levy taxes to meet the educational needs of their students. (5) There must be a smooth transition to the new district school boards.

With the implementation of Bill 160, all of the above principles are violated.

Bill 160 gives Queen's Park sweeping dictatorial powers over every aspect of the education system: school boards, funding, school councils, teacher qualifications, the number of teachers and the amount of time teachers have for each student. As was stated late last week by the Premier, an additional \$600 million to \$700 million will be saved with the implementation of Bill 160. It begs to be said: Are we improving quality or just saving money at the expense of our students and teachers?

What I would like to focus on primarily is how Bill 160 will impact occasional teachers. The points I would like to address include the definition of an occasional teacher, the status of occasional teachers, the hiring of new teachers, unqualified teachers in the classroom, and callout procedures. The first point of impact is in the determination and definition of an occasional teacher.

The existing clause relating to an occasional teacher is as follows: "'occasional teacher' means a teacher employed to teach as a substitute for a permanent, probationary, continuing education or temporary teacher who has died during the school year or who is absent from his or her regular duties for a temporary period that is less than a school year and that does not extend beyond the end of a school year."

The proposed clause relating to an occasional teacher in subsection (1.1) is as follows:

"For the purposes of this Act, a teacher is an occasional teacher if he or she is employed by a board to teach as a substitute for a teacher or temporary teacher who is or was employed by the board in a position that is part of its regular teaching staff including continuing education teachers but,

"(a) if the teacher substitutes for a teacher who has died during a school year, the teacher's employment as the

substitute for him or her shall not extend past the end of the school year in which the death occurred; and

“(b) if the teacher substitutes for a teacher who is absent from his or her duties for a temporary period, the teacher’s employment as the substitute for him or her shall not exceed past the end of the second school year after his or her absence begins.”

This proposed clause will allow for a term assignment of up to two years less a day. During this time, if present conditions hold, the substitute teacher will be paid on the grid, but have no additional benefits. There is no guarantee that the same occasional teacher will act as the substitute during the entire absence. This would be a stressful time for both the substitute teacher and the students involved. The proposed change would only be a cost-saving measure that is unfair to the occasional teacher. There is no need to change the existing clause of the Education Act.

The second point is the status of occasional teachers. The proposed clause relating to the status of an occasional teacher is as follows, section 277.5:

“(1) Despite subsections 277.3(1) and 277.4(1) and (2), occasional teachers are not members of a teachers’ bargaining unit until the second collective agreement entered into after December 31, 1997 for the teachers’ bargaining unit comes into effect.

“(2) Occasional teachers cease to be members of any other bargaining unit upon becoming members of the teachers’ bargaining unit.”

This means that occasional teachers will be part of teachers’ bargaining unit for second contract in the year 2000. It is our contention that occasional teachers should be part of that first agreement, effective September 1, 1998. With the inauguration of a unified school board, what happens to occasional teachers in the existing boards of education? Will all occasionals be subject to callout by any school in the district?

1400

The third point is hiring of new teachers. During discussions about the implications of Bill 160, a statement was made by the Minister of Education that all new teachers hired by the boards of education would come from teachers’ colleges. In his words, this would lead to enthusiastic, qualified teachers in the classrooms with new ideas. However, I believe he has done an injustice to the occasional teachers of this province. We are the teachers that patiently wait by the telephone day after day for a call. Why should we be denied a permanent position in favour of someone who has just graduated? What signal is this sending to those teachers who believe that a stint on the occasional list is the path to a permanent job? This initiative may be well-intentioned, but it is flawed.

Unqualified teachers in the classroom: In 1996 the Ontario College of Teachers was created by this government to act as a professional agency governing the teaching profession. The chief aim was to make sure only qualified teachers were in the classroom. That seems to be last year’s initiative, because now there are statements

about having uncertified professionals taking over areas such as guidance, library and physical education.

If this is allowed to start, then what’s next? Could it be computer classes or business classes? This appears to be contrary to the initiative of 1996. It is the thin edge of the wedge. There is more to teaching than a university degree and knowledge of the subject area. This initiative is again doing a disservice to the teachers already in the system and those hoping to become part of the system. There are many students currently enrolled in various colleges of education who are pursuing an untenable dream.

It is unfortunate that in the 1990s boards of education will be forced to hire the cheapest teacher for the position, not the best qualified. This will not improve the quality of education.

The Chair: I’m sorry, our time allotted has elapsed. Thank you very much for your presentation; we all have your written presentation.

PAT MICK

The Chair: Our next presenter is Pat Mick.

Mr Wildman: On a point of order, Chair, about Statistics in response to the CUPE presentation about the number of acclamations: It is my understanding that Ms Mick is a trustee in Sault Ste Marie board. I understand that in district school board number 2, which is the new school board for Algoma district, which covers an area from Hornepayne to Spanish, there have been three acclamations, and two in the French boards, just in this one area. I’d really like to get a clarification of the figures the parliamentary assistant presented for the whole of Ontario, if we’ve had five acclamations only in Algoma district.

The Chair: He can do that at the end of the hearings. He has noted the question.

Mrs Pat Mick: My name is Pat Mick. Thank you for allowing me to present in beautiful, sunny Sault Ste Marie instead of travelling many hours to the next closest centre.

As a toddler in the small railroad community of Hawk Junction near Wawa, my parents boarded a wonderful couple who were the teachers in the local school. In the evening they taught me how to pick out the letters in my name from the Sault Star. Even at that early age I realized that learning to read would open the door to a wonderful exciting world and the people who held the keys were these amazing teachers.

From those long-ago days, throughout my education, and the school days of my four children, right up to the present, I am continually surprised by the dedication and selflessness of those who choose to teach. Theirs is probably the most important profession in our society, or any society for that matter.

The latest proposed legislation to improve the fate of our children is called the Education Quality Improvement Act. I’ve read media releases, a legal summary and have actually trudged through the 262-page release. I saw little in the document that would improve my grandchildren’s education in the future. What I did read about were many

repressive measures that would probably make educators, boards, parents and, most importantly, the children very unhappy. The ultimate purpose of an education bill should be to improve conditions for the students, not to exercise power and control over the people who, day to day, run the system with the ultimate goal of accessing funds directed to the education of students.

When a local resident is unhappy with a board of trustees' decision, they need only phone their locally elected representative and discuss the matter. It seems to say in Bill 160 that the trustee will be held accountable by the Minister of Education and not by those who democratically elected that trustee. School board members could be made liable both jointly and severally for disobeying a government order. Boards are often jointly liable, but as trustees, have no individual authority. Trustee candidates across the province have let their names stand for office, ignorant of the fact that they could be held individually liable for a board decision, and also with no indication from the province as to what the new role of a trustee might be.

Bill 160 gives broad-ranging powers to the education minister and the government to dictate financial and operational affairs of school boards through regulations. However, the regulations have yet to be announced. If conditions are dictated from Toronto, with boards having to carry out the orders, there will be increased bad feelings at the local level. If the minister orders local schools closed and sold, local taxpayers wonder if they will get a rebate on their taxes.

During the period of 1993-96 of the social contract, grants were reduced by \$425 million and by an additional \$200 million of reductions per year in the same period through the expenditure control plan of the previous government. School boards in the 1996-97 fiscal period incurred further grant cuts of approximately \$525 million. During this four-year period, enrolment continued to increase in the province along with inflation, without boards receiving any increased grants to offset such increases.

Locally, boards lost industrial and commercial assessment as well as having mandated expenditures not related to education, and have still managed to keep local education taxes to a zero increase in three years of the last five. The Premier keeps insisting that there is fat and waste to be cut and accuses boards and teachers of being untrustworthy, while provincial governments that have overspent for years download their deficits to the municipal level.

As a parent, I would want to know how the increased use of unqualified instructors would improve my child's education. Bill 160 proposes repealing Bill 100, the School Boards and Teachers Collective Negotiations Act and replacing it with the procedures of the Labour Relations Act. The Labour Relations Act has incurred far more strikes than has Bill 100. In fact I have never seen a strike locally under Bill 100.

Public education mandates that programming for all students of school age, regardless of individual educational needs, be provided. The Sault Ste Marie Board of

Education provides an extensive special needs program. Students from other boards and the district are attracted to the level of services. On a per capita basis, special education costs are significant when compared to average costs. The local board spends \$423 per capita beyond provincial grants to meet special needs.

As a member of the local community living education committee and a past chair of a special education advisory committee, as well as chair of a local education improvement committee, special education, I can tell you that parents and advocates are very anxious about the future of our local special education and the composition and management of a new district school board special education advisory committee.

Parental involvement in a child's education is very important. But volunteerism in a school advisory council should not be legislated, but optional. Many parents are unwilling to assume increased responsibilities and are concerned about their own students in their own schools, while a trustee has a more global perspective. This perspective will be even more important, as a trustee from Wawa will have to be as sensitive to a student from Spanish as she is to a student from Hornepayne in the new district school board.

1410

Taxpayers who do not have children in school will have less access to an accountable representative; in fact, in many of the smaller communities, when that taxpayer finds out who their representative is, it will potentially involve long-distance charges. This is shabby treatment of people who, like myself, have supported one or more school boards for so many years and are now looking forward to their golden years.

Small communities are worried that the cost savings they have enjoyed while sharing services and buildings with all types of their local boards will be lost because of the rigid establishment of a distinct presence for English public, English Catholic, French public and French Catholic boards in all communities. As a parent and a taxpayer, the establishment of one school system, recognizing differences based on religion and language, would seem to be the largest cost-saving measure this province could make. Neighbourhood schools could be maintained, and transportation costs would tumble.

As a proud Canadian, I know that our most valuable resource is our people, and our children are our future. This is why it saddens me deeply that my government in Ontario has been wasting so much time and so much money in belittling our dedicated educators instead of collaborating with them to make our province even better. Thank you.

Applause.

The Chair: Again, I'd like to remind the audience that demonstrations are not permitted.

Thank you, Ms Mick. We have approximately one minute per caucus.

Mrs McLeod: Thank you very much. Your being here today reminds us that this should not be a power struggle between teachers and the government, that what the gov-

ernment is doing is taking total control unto itself and taking everybody else out of the equation, not just teachers but trustees and parents as well.

The question I'd like to ask you relates to the minister's statements that they need control because they want to do something, presumably beneficial for students, about class size. But given the fact that the government intends to take another \$667 million out of education, given the fact that there are some 25,000 new students expected in the system every year for the next five years, what do you do as a school trustee if the government mandates, legislates, a class size but takes \$700 million away from you and you have all these new students coming in?

The Chair: I'm sorry, Ms McLeod. Our time is up. We must move on —

Mrs Mick: It'll hurt kids.

The Chair: I'm sorry. We have more, if we can get a question in here. Mr Martin?

Mr Martin: You mentioned in a number of places throughout your presentation the issue of the comments of the government and the Premier about people like yourself and, I guess, myself — I was a trustee before I got this job — and so many others in the room today, that they were untrustworthy, that they weren't doing the job and that they were somehow irresponsible and squandered money in the system and have hurt students. Do you care to elaborate a bit more on that, your feeling about that?

Mrs Mick: As an Irishman, them's fighting words. It's very insulting, and a lot of my friends and neighbours and relatives say: "Why would you want to be a trustee? You certainly don't get any thanks for it."

I'm concerned about some of the new trustees coming in. I welcome new faces and I usually am very eager to see them, but I'm wondering what will happen to these people who haven't developed the thick skins that the rest of us have had to develop working with the people we've had to work with.

Mr Beaubien: Thank you very much for your thoughtful presentation, Mrs Mick. Could you tell me why teachers or schools would refuse to send teaching materials along with the students during the illegal strike? If we care about the kids, why would they refuse to send the teaching materials with the students?

Mrs Mick: I hadn't known that they had refused.

Mr Beaubien: Because we received 24 calls this morning in my constituency alone.

Mrs Mick: Maybe it's your constituency that's —

Laughter.

Mr Beaubien: Okay. It's synonymous with southwestern Ontario. That's why I think there is a need for the province to take some action so that all students are treated fairly across the province of Ontario.

The Chair: Ms Mick, thank you very much for your presentation here today.

ONTARIO PUBLIC SCHOOL
TEACHERS' FEDERATION,
CENTRAL ALGOMA DISTRICT

The Chair: Our next presentation is the OPSTF, Echo Bay; Andy Jones. Welcome.

Mr Andy Jones: I'm Andy Jones. Let me begin by thanking the committee for the opportunity to make the presentation this afternoon.

I am a parent of four children ranging in age from 16 to 27. I am a taxpayer who has been continually employed for over 31 years and a property owner for 29 years. I am a teacher and principal, have been a teacher and principal for over 31 years. I also hold the position of president of the Ontario Public School Teachers' Federation, Central Algoma District. My perspective on Bill 160, the Education Quality Improvement Act, 1997, will reflect every one of those roles.

I honestly believe that the present system of education in Ontario is among the best in the world. This system is based on a balance of power among its partners: the Ministry of Education and Training, the local boards of education, the teachers and their federations, and the parents and the taxpayers. This partnership has evolved over several decades, through good and bad economic times, into what I consider a very efficient and effective educational delivery system. There will always be a need to improve. In fact, change and improvement are constant in the field of education. I just ask you to reflect for a moment on the changes over the last few decades in the areas of technology, society, especially with the family structure change, and the economy. Our educational system has constantly adjusted, adapted, and improved in response to these changes.

The Ministry of Education and Training has decided that our educational system is broken and that the only way to fix it is through Bill 160. According to the Ministry of Education and Training, Bill 160 will enhance the quality of education in Ontario and improve accountability through cutting the funding for education. I don't believe this.

Let me make it very clear at the beginning that I and most of the residents of central Algoma were not in favour of the amalgamation of local school boards under Bill 104, the Fewer School Boards Act. I am extremely proud of the high level of quality of education within the Central Algoma Board of Education. This high quality is a direct result of the partnership I mentioned earlier that exists among the board, the teachers and their federations and the parents and the taxpayers in central Algoma. Bills 104 and 160 will destroy that.

Bill 160 vests considerable power with respect to transitional matters in the Education Improvement Commission, the EIC. The members of the EIC are unelected political appointees who will make very important decisions with respect to the transfer of property, the assets and the employees of these boards. These powers are extreme and are in the hands of non-elected officials. Who is accountable?

The Education Improvement Commission has also been seeking input into the role of the new trustee within the new mega-boards over the last few weeks by holding public input sessions across Ontario. These potential new trustees are presently campaigning for the November 10 election. On January 1, 1998, the successful candidates will be in a position to take on these undefined roles somewhere within the board. Time, or the lack of it, is a major concern of mine.

Bill 160 eliminates the local control and management of education. This bill centralizes the power and control of education in the Ministry of Education and Training. By totally removing the revenue-generating powers of the local school boards, Bill 160 will reduce the role of the new trustees to that of being ministry puppets who will have little decision-making powers but who will be the first in line to accept any blame.

What is the role of the advisory school councils with respect to the new mega-boards? No one knows. Regulations by cabinet at a later date will define their composition and their function. How can anyone possibly make any judgement on the councils at this time?

The definition of "occasional teacher" expands the period during which occasional teachers may be hired to substitute for absent teachers. The new definition in itself is not of concern. However, how this definition is implemented is of concern. In its extreme, this definition would permit boards to have a series of occasional teachers fill a teaching position over a lengthy period of time. Our classrooms could become the McDonald's of the educational field, with part-time occasional teachers rotating through the system on a regular basis. This new definition of "occasional teacher" and the fact that all permanent and probationary contracts are eliminated is of major concern to me.

Now I'll turn my attention to collective bargaining. The transfer of collective bargaining from the School Boards and Teachers Collective Negotiations Act to the Labour Relations Act is not a major concern of mine at this time, partly because I am not as familiar with the Labour Relations Act as I am with the School Boards and Teachers Collective Negotiations Act. I just hope there is an adequate grievance procedure in the Labour Relations Act to protect teachers.

Collective bargaining with the new district school board will be somewhat limited, since the board's role and power are going to be dictated by the Ministry of Education and Training. Cabinet, through regulations, will have the power to dictate class size, teacher-pupil contact time, preparation time, and the power to designate positions that are not teaching positions and duties that are not teachers' duties. These are areas that are presently often addressed within the collective agreements.

Bill 160 will permit the cabinet to set a limit on class size. To date, no figure for class size has been put forward. If the minister is sincere about class size, I strongly recommend that the maximum class size in Ontario be set at about 22 students. I'd like to clarify that. I do not mean that the pupil-teacher ratio would be 22 and I do not mean

that the average class size in a school or in a board or in the province be 22. I do mean that there will be no classroom in Ontario with more than 22 students. This would improve the quality of education.

Let me clarify something else about class size. Unlike the government's media propaganda, teachers have never negotiated larger class size except to save junior kindergarten programs and to meet the requirements of the social contract.

Applause.

The Chair: Excuse me. I asked the audience not to demonstrate. There will be a five-minute recess, and if it continues, it will be 10 minutes. Unlike lunchtime, some people may not be heard due to your behaviour. It's as simple as that.

The committee recessed from 1425 to 1431.

The Chair: Can the committee reconvene, please. Five minutes have elapsed. Could everyone take their place. Mr Jones is going to continue at this time. Could I ask that the conversations cease, please, and we have order.

I apologize for the interruption, Mr Jones. You have two and a half minutes to go. Please proceed.

Mr Jones: The length of the school year and the school day have always been within the jurisdiction of the Ministry of Education and Training. Teachers have some impact through collective bargaining on the placement and number of professional activity days, the placement and number of examination days, especially at the secondary level, school holidays and instructional days. Bill 160 extends the cabinet's authority in these areas, but there's no specific outline of the intent of their increased authority. Will we have year-round schooling in the near future? There are more questions raised than answers given. Future regulations will eventually provide the answers.

Perhaps the factor that will have the greatest impact on collective bargaining is the educational funding model, if and when it is disclosed. Bill 160 gives absolute control over the setting of tax rates and the collecting of taxes to the ministry. Therefore, when teachers bargain for their pay with the local district school boards, the ability to pay will be controlled not by the district school boards but by the provincial government. Again, the trustees will be puppets of the ministry.

As an alternative, perhaps the ministry should consider province-wide bargaining. Why not eliminate district school boards? The province of Ontario could become a province school board. Bill 160 would have to be altered only slightly.

Let me summarize by stating briefly what Bill 160 is about. Bill 160 is about eliminating local control and management of education. Bill 160 is about eliminating the revenue-generating powers of local boards. Bill 160 is about centralizing taxation powers at the cabinet level. Bill 160 is about vesting considerable power in the appointed Education Improvement Commission. Bill 160 is about centralizing control over class size, the school year, the school day, school holidays, preparation time, examination days, instructional days and professional activity days at the cabinet level. Bill 160 is about restricting the

scope of collective bargaining immensely. Bill 160 is about transferring the collective bargaining process to the Labour Relations Act. Bill 160 is about instituting differentiated staffing in the educational system. Bill 160 is about redefining "occasional teacher" and "teacher." Bill 160 is about eliminating permanent and probationary contracts.

I believe that Bill 160 will not improve the quality of education as its title implies. Bill 160 has everything to do with putting the control and power over the education of our children — our future — in the hands of the provincial cabinet, in the hands of politicians and their bureaucrats. The goals of politicians and bureaucrats are not necessarily in the interests of quality education.

The Chair: Thank you very much, Mr Jones. Our time has elapsed. I thank you on behalf of the committee for your presentation here this afternoon.

SAULT STE MARIE AND DISTRICT LABOUR COUNCIL

The Chair: Our next presenter is the Sault Ste Marie and District Labour Council, Dan Lewis. Welcome, Mr Lewis. Please proceed.

Mr Dan Lewis: Good afternoon, members of the standing committee, brothers and sisters.

Firstly, I'd like to thank the committee for giving us the opportunity to present today on behalf of the teachers, parents and all of our children in this province.

The labour council cannot support Bill 160 for one main reason, among many others. This country and this province have had a long tradition in allowing free collective bargaining for Ontario workers. Our country is supposed to be a democratic society, not one with a dictatorship. This proposed legislation goes against all principles of free collective bargaining.

The delegates of our council, which represents approximately 10,000 members, voted unanimously in support of the teachers' unions at our meeting on October 22, 1997. We had seen how Bill 136 could have stripped the rights away from our brothers and sisters from the public sector unions and we stood with them to ensure they would have free collective bargaining. We will stand beside the teachers also so that they will maintain their rights. We cannot support legislation that will strip the rights of teachers to bargain their terms and conditions of employment.

One has to wonder why this government wants labour unrest in this province. The only conclusion we can see is that they want to ensure that their corporate friends benefit. To suggest that we need to take \$1 billion out of the education system and not harm our children is ludicrous. This is only so that they can grab the money to pay for the 30% tax cut they had promised, which will benefit the high-income earners, not the average worker. This is not going to improve the education system; this will hurt our children.

In the proposed legislation, the Ministry of Education wants to control class sizes. Why? If you take money out

of the education system, then some teachers will lose their jobs, forcing the classrooms to enlarge. I understand that approximately 10,000 teachers will lose their jobs if Bill 160 is passed.

As a parent, I had to lobby the board of education just last year as I saw how my daughter's education was being affected by a class size of 38 pupils. I met with the teacher to discuss my daughter's grades and was told that he just could not spend the time with all of his students individually and that he was stressed out as well. This year the grade 7 class has been divided and now there are about 20 pupils in each. The teacher has assured me that he does have the time to spend with my daughter and her classmates as the class size is now manageable.

The government says they want the best education system possible for our children of Ontario. We believe we already have it. If it's not broke, don't fix it.

In closing, I want to say that Bill 160 must be rewritten before it is acceptable to the teachers and the parents of this province. Bill 160 must be rewritten to ensure our children benefit from the education system like we did. I hope this committee recommends to our government that this proposed legislation cannot go forward as presented.

The Chair: Thank you very much, Mr Lewis. We have a little over one minute per caucus.

Mr Wildman: This morning it was reported in the media that the Minister of Education and Training, Mr Johnson, had indicated that there would be amendments to Bill 160. I proposed a motion to this committee that we invite the minister to present the amendments to this committee so that people like you and other members of the public could comment on the amendments, as well as on the original draft of the bill, so that we could get input on those amendments to see if they go far enough to resolve the concerns of the teachers and the parents and others interested in education. The motion unfortunately was voted down by the majority on the committee.

Do you think it would be useful for the government to publish the amendments so we know whether or not the concerns of the teachers have been met? Maybe then we can move to end this disruption in the education of our students. Would you as a parent welcome the publication of these amendments?

Mr Lewis: Certainly. If we're going to go forward in getting our pupils back into the classroom where they belong, getting the education they need, we have to have negotiations, we have to have agreement, just like Bill 136: It was amended, it satisfied the majority of the people who were concerned.

Mr Beaubien: Mr Lewis, in your presentation you mention that last year your daughter was in a class of 38. Who set the size of the class last year? Was it the government or the board?

Mr Lewis: I would imagine it was the board. The parents of the particular school lobbied the board as to the class size and were successful in getting it reduced this year to the manageable amount of 20.

Mr Beaubien: But all day today I've heard that the government has been setting class size and there are 40

students. You just told me that the board sets the class size, so it's not the government up to this date that has set the class size.

Mr Lewis: No, but if you refer to my brief, I've stated that if you take money out of the system, teachers will lose their jobs —

Mr Beaubien: No, no, but I've asked you about the class size, not about the money.

Mr Lewis: If you eliminate teachers, you're going to have to put the students in the other classes.

Mr Beaubien: At the beginning of your brief —

The Chair: I'm sorry, Mr Beaubien, our time is up. We move over to the opposition, Mr Bartolucci.

1440

Mr Bartolucci: It'll be a very, very simple question — and thanks for your presentation — so that everyone on the government side can understand. If you have more students coming into a system, if you have fewer teachers in that system, what is that going to equal when it comes to class sizes?

Mr Lewis: Maybe they'll keep the class sizes minimal, but they won't have professional teachers teaching the classes.

Mr Bartolucci: Absolutely. So what we're looking at is increased class sizes or the removal of qualified teachers.

Mr Lewis: Exactly.

Mr Bartolucci: That's what 160 is all about and that's why teachers, students and parents across Ontario are upset. I thank you very much for your presentation.

The Chair: Well, Mr Lewis, I moved them along too quickly. We now have one minute left over. Is there something you'd like to add to your presentation, use your minute?

Mr Lewis: No, I think that pretty well covers it. I wanted to keep it to the point, short and brief. I just thank you for allowing me to present.

The Chair: I appreciate you permitting time for questions. It's quite unusual with 10-minute interviews.

ONTARIO PUBLIC SCHOOL
TEACHERS' FEDERATION,
SAULT STE MARIE DISTRICT

The Chair: Our next presentation is the OPSTF. Good afternoon, gentlemen. I'd ask you to identify yourselves for the purposes of the record and then proceed with your presentation.

Mr Mike Patriquin: We'd like to thank you, first of all, before we identify ourselves, for giving us this opportunity to come before you today. A bit of a clarification as far as the agenda is concerned: I'm Mike Patriquin and I'm past president of OPSTF, and with me today I have Bill Clarke, who will go through the presentation. He's president of the OPSTF district.

Mr Bill Clarke: What is Bill 160 about? I have to apologize for my laryngitis. The government would have you believe that it is about improving the quality of

education in Ontario. In fact, it has more to do with power and control. The purpose of the shift of power is to get complete control of education. In so doing, this government could make the necessary changes in order to improve education, while at the same time remove money from the system by cutting the quality of education offered to students in Ontario.

There are three underpinnings in our system of education, those being governance, funding and collective bargaining. Through various steps the government has systematically gone about setting up a totalitarian state in so far as education is concerned, as well as in other areas of public service. We have all watched as our former Minister of Education, John Snobelen, went about the systematic procedure of creating this aforementioned totalitarian state.

If you wished a report written that espoused the changes you supported, who would you want to write this report? A friend and long-time business acquaintance would be the preferred author of such a report. Is this what happened? Well, you be the judge. The Paroian report certainly filled the requirements of Mr Snobelen. The report talked about collective bargaining with respect to school boards, the right to strike, the right of boards to lockout, principal/vice-principal membership in the bargaining unit, work to rule, the role of the Education Relations Commission and changes in statutory contracts.

Bill 104, the Fewer School Boards Act, reduced the number of school boards and, at the same time, stripped them of any financial powers. The government took upon itself ultimate authority for all major decisions and took complete control of all education finance in Ontario.

Bill 136, along with Bill 160, will further strip teachers and the general public of their right to have input into the decision-making process. This will ignore the grass-roots concerns in the education system. Teachers will no longer have the right to bargain for prep time and class size.

In this pluralistic society, we all have certain rights and responsibilities. Checks and balances have been built into this system to maintain a harmonious relationship between employer and employee. This is why, in a democratic society, we have unions that represent the individual and management who bargain for the rights of the employer. In this province, this has been a long-accepted practice. This Conservative government is abusing democratic principles through this power grab.

Teachers do not take being forced to demonstrate lightly. Our colleagues fully understand that the issue here is greater than just Bill 160 itself. Discrediting teachers and putting them in a situation whereby they must take job action is reprehensible.

We believe a partnership exists in education between teachers, parents, school boards and the government. Bill 160 destroys this partnership. The monetary cutbacks and emotional wounds that are being created as a result of this bill will be felt for years to come. The educational system that Bill 160 was to improve will require much longer to fix than if efforts had been made to work positively and

cooperatively within the already excellent education system.

In disfranchising the public at large and education workers, this government is not only dismantling education, but it is also dismantling democracy. We wonder about the example this sets for employers in the private sector and we are concerned as to what is coming next.

In conclusion, the government must address the following key issues: Guarantee that there is a certified teacher in every classroom; guarantee that teachers continue to bargain all terms and conditions of employment with their employer; keep to a minimum the regulatory control of the provincial government and maintain the ability of school boards to raise revenues through local taxation.

The Vice-Chair (Mr E.J. Douglas Rollins): Is that your presentation?

Mr Clarke: Yes, it is.

The Vice-Chair: We have a few minutes then from each caucus, starting this time with the government.

Mr Smith: Thank you for your presentation. As you can appreciate, we've received a considerable amount of input on the issue of differentiated staffing and certainly a different range of views, primarily one of opposition by teachers' groups, recognizing, however, as we all know, that many teachers already supplement their classrooms with outside experts. The whole issue, though — we've had the Royal Commission on Learning making recommendations to the same. We've had the Education Improvement Commission making recommendations to the same. Are both of these groups wrong?

Mr Clarke: If you notice, on my name on the front I have "SERT" after it. I'm a special education resource teacher. The one thing I look at, bringing in people from outside for certain special occasions is fine, teaching bowling, baseball or some type of sport or art activity is fine, but we have to look at the student who has special needs. How is that outside individual going to implement an individual educational plan for that student who is physically challenged? There isn't anything right now that can answer that.

Mrs McLeod: I regularly remind Mr Smith as parliamentary assistant that if it was a question of having teams and having experts brought into the classroom to supplement the work of qualified teachers, you wouldn't need the changes in Bill 160 because that's happening now. The government is, I think, finding that this is not a popular thing and therefore they're trying to run away from the fact that Bill 160 is there to allow non-certified teachers to replace classroom teachers.

You make the point that teachers have not taken the step they've taken this morning lightly. I know that to be the case. I know that there is great personal sacrifice, as well as risk of the unknown, as well as incredible concern for their students. What do you think has driven teachers to take the step they've taken today?

Mr Patriquin: Teachers have an awful hate on for John Snobelen and I think it's mutual. I think John Snobelen set out to create a crisis systematically. We can see

that he systematically went about doing it. For that he's been successful. Just when he's about to take the heat, he's pulled out and we have another fellow in there now. We'll see what he's like. Hopefully, he's a little better. For the last number of years, and I've been a teacher now going on to 32 years, I have never suffered as an individual and felt degraded by anybody outside the education system. Teachers are fed up. We're fed up by this government telling us that we're not doing an excellent job.

Mr Wildman: I was intending to follow along with that. You as professional teachers — and I can tell from the emotion in your voice obviously this is not a happy day for you or for your students. What do you think it's going to take to get both sides to the table so that we can actually start talking about quality education for our students and move forward in our education system, after what you've described as two years of insult and so on from the education minister?

1450

Mr Patriquin: This government came in with one message to the people in Ontario, and that was that their key platform was common sense. I think a lot of common sense on both sides would be called for here. This issue was not created by the teachers in the classroom, and if need be, the teachers in the classroom, as we're doing today, are trying to force an end to all the silliness that has gone on before this time in education, in the last couple of years.

We would like nothing more than to be in the classroom teaching today. My primary role in life is to teach. I don't want to be out on the bricks, and I don't know of any teachers I've talked to who want to be where they are. The failure to communicate — I guess that's it. It's a difference of opinion and it's a difference of how you look at what's going to fix this system. If this government thinks it's going to fix anything by what they're doing — strikes last only a short time, maybe a long time, but anybody who has been through a strike will tell you the wounds last a long, long time. I'm really concerned about the children being affected by this.

The Vice-Chair: Your time has come to an end. Thank you for your presentation. We appreciate it.

CENTRAL ALGOMA WOMEN TEACHERS' ASSOCIATION

The Vice-Chair: I call the next group of people, the Central Algoma Women Teachers' Association.

Ms Heide Marrato: Good afternoon. My name is Heide Marrato, and I'm speaking on behalf of the Central Algoma Women Teachers' Association. My president, Penny Bellarose, is not here. Unfortunately, I only have five copies. If that's not enough, I'd be more than willing to photocopy in the next little while.

I've come to the Bill 160 hearings to speak as a representative of my teachers' union, the Central Algoma Women Teachers' Association. While I hold the position of vice-president of my local union affiliate, I consider myself first and foremost a classroom teacher. I am

currently in my 11th year of teaching, and I teach kindergarten at Johnson-Tarbutt Public School in Desbarats, Ontario.

I work long hours for my students and I am proud to be a teacher. I do not now abuse, nor have I ever abused, the Ontario education system, nor have I ever worked with any other teacher guilty of such an abuse. In fact, I consider the teachers I work with to be hardworking, dedicated individuals, concerned foremost with the academic, social, and emotional wellbeing of their students.

Bearing this in mind, I have grave concerns regarding Bill 160 and this current government's agenda for public education. I take offence at a government that precedes changing the Education Act with laying blame for the faults in the Ontario education system solely on the shoulders of the teachers.

As any good parent recognizes, children abide within the rules established for them. Likewise, the teachers in the province of Ontario abide by the Ministry of Education's guidelines and curriculum documents. Within the last four years, one of the Ontario government's mandates was the Common Curriculum, and therefore Ontario's teachers implemented the Common Curriculum. Now the Ontario government has realized that perhaps the Common Curriculum should be more specific regarding student achievement at particular grade levels. At the end of June 1997, new documents for grades 1 to 8 language and mathematics achievement and assessment were distributed and Ontario's teachers once again began to implement these.

As a teacher, I am not against change. In fact, change in my profession is rudimentary to my and my students' existence. I and my colleagues have changed as your government and those governments before you have asked us to.

As a teacher, I appreciate the clearness and conciseness of the new math and language documents. These types of well-defined parameters have been necessary. I also appreciate the provincial standardization that these documents, as well as the new provincial report card and new province-wide testing, are mandating. With these reforms, education in Ontario has become streamlined and updated for all parties involved: students, parents and teachers. The responsibilities of these parties have also become more clearly defined.

However, I am not satisfied with the arrival time of the math and language documents, nor am I happy with the current lack of new documentation this government has provided in such areas as French language, the arts, and kindergarten. Here, I question the value our current government places on these areas of the curriculum. I ask, is French not one of the official languages of Canada? Are the arts not an important part of the development of the whole person? Is kindergarten not part of Bill 160's definition of primary?

It is "incompletes" or questions such as these that made me further investigate Bill 160. To my horror, this investigation led me to recognize further very important incompletes within the bill itself.

First, Bill 160 discusses the new boards' compliance regarding class size. However, it does not establish a specific number for any class or grade, nor does it establish how class size will be determined. Bill 160 does not limit class size as many current teachers' collective agreements already have; therefore, there is absolutely no guarantee that a primary class of 20 will not become a primary class of 35.

Second, the current government mandated the Ontario College of Teachers, such that teachers be more responsible to the public whose children they teach. This is acceptable. However, allowing persons who are not teachers into the schools to teach students is totally unacceptable. Who will regulate the actions of these individuals? Qualified teachers know and use government education documents and abide by government laws and regulations regarding the education of Ontario's students. What guarantee is there that these people who are not teachers qualified by the Ontario government will do the same? Ontario teachers are professionals trained by the Ontario Ministry of Education in student programming, achievement and assessment. These people are not. Ontario teachers are aware of the continuum of Ontario education, from kindergarten through to OAC. These people are not.

Third, Bill 160 places limits on teacher preparation time and suggests that this time would be better spent in the classroom, in front of students. What needs to be clarified here is that teachers are already using this time to benefit their students.

I use this time to give extra help, plan and revise lessons, consult with outside support agencies, contact parents, organize intermurals, clubs and a breakfast program, work with a school team, prepare materials, meet with colleagues, counsel students with personal problems, prepare work for absent students, organize assemblies, trips and guest speakers, solve attendance problems, mark assignments, and update student profiles. In order to be the best teacher I can be, I make excellent student use of my preparation time. This does not include the time I spend before and after school in the evening and on weekends and holidays. Preparation time is not a teacher's luxury but a necessary part of a teacher's day. This must be realized.

Finally, while Bill 160 does not specifically state that there will be more financial cuts to education, the current government's previous agenda has already removed large amounts of money from public education, and I do not believe this will change. I do not revere careless spending, but I also realize that the best education system in the world cannot be achieved without adequate financing. I do not believe that more money can be cut without seriously jeopardizing our students' futures.

The students in central Algoma and in the province of Ontario have already lost too much. In central Algoma, our supply rooms are virtually bare, housing mainly construction paper. Glue, pencils, and paint are a luxury. We have lost all of our teacher-librarians, our primary consultant and our arts coordinator.

Many of our classes have become split grades, from kindergarten right through to grade 8. Class sizes have increased from 18 in grade 1 to 28 in a 4-5 split, and now 35 in grade 6. The kindergarten program has become a full-day junior kindergarten/senior kindergarten split-grade program, running in two groups every other day, due to transportation and staffing cuts.

Educational assistants no longer exist in grades 1 to 8. Special education resources, services and time have been reduced. Assessment reports prepared by outside agencies are severely delayed, and cutbacks faced by these same agencies have further delayed access to professional services for our students.

There are not enough textbooks, such that students in a particular grade must share textbooks and individual students cannot take textbooks home to complete assignments.

Finally, while my school houses an up-to-date computer lab, use of it is limited, not by teacher inadequacies but by lack of service time.

In conclusion, I wish to state that I am not satisfied with section 81 of Bill 160, which deals with class size, unqualified teachers and preparation time, nor am I happy with the current government's probable future monetary cuts. Enough is enough.

Bill 160 is supposed to be an act intended to enhance accountability and regulate class size. As it is unclear and non-specific in these areas, it falls short of achieving these goals. Therefore, I as a teacher in the province of Ontario cannot in good conscience support Bill 160 in its present form.

The Vice-Chair: Thank you very much. You've got less than a minute left if you want to add a couple of more things to it.

Ms Marrato: I'm okay, thank you.

The Vice-Chair: Thank you very much for your presentation. It's much appreciated.

1500

SAULT STE MARIE DISTRICT ROMAN CATHOLIC SEPARATE SCHOOL BOARD

The Vice-Chair: The next group is the Sault Ste Marie District Roman Catholic Separate School Board.

Ms Karen Fata: My name is Karen Fata, and I represent the Sault Ste Marie District Roman Catholic Separate School Board. I would like to take this opportunity to thank the committee for allowing our school board, the Sault district Roman Catholic school board, this opportunity to comment on Bill 160.

It goes without saying that this bill has caused a great deal of controversy in education in Ontario. The changes being proposed are far-reaching, and the centralization of authority with regard to education in Ontario in the hands of the government is unprecedented. I would like to present my board's position on a number of issues concerning Bill 160. I'm encouraged that I see pen in hand; hopefully,

that's an indication that you are listening and as messengers you will bring our thoughts back to the ministry.

Dealing with proposed changes in educational financing, the intent of these changes by the Ministry of Education and Training is to provide fair and non-discriminatory funding for all school boards and the students in the province. Our board supports this concept and congratulates the commitment to fair funding of students by this government. However, we, the trustees, are concerned that such a plan would require a three-year transitional period to implement. Our board and many of the other separate school boards in the province have received less funding than our public school board counterparts. In these times of financial restraint, we feel that fair funding should be implemented in the new funding model and take effect in September 1998 in its full form for all school boards and not be spread over three years before full implementation is achieved, as is the ministry's present intent.

Our board also wishes to express its concern regarding the possibility that the new funding model will designate grants to specific areas. It is our strong recommendation that spending priorities for school boards not be established in Toronto for the whole province. We strongly recommend that the ministry ensure that district school boards retain a high degree of autonomy and flexibility in establishing their spending priorities. We're looking at the culture of each individual city.

Concerning the tax default system, for many years separate school boards in Ontario have expressed their concerns regarding the unfairness of the tax default system. Under this system, if a Catholic ratepayer moves from a specific property, that property automatically reverts to public school support. If another Catholic ratepayer moves into that property, he must be aware that he must request that the property be changed to separate school support; otherwise, the property will continue to be listed as public school support.

The position of the separate school board is that every time a property is occupied by an occupant, the occupant should at that time be required to declare either separate or public school support. If the occupant does not declare his support of a specific school board, the property should not automatically be declared public school. Rather, such properties which are not declared as either separate or public support should be placed in a common pool of such properties. Taxes generated from these properties should be divided between the coterminous separate and public boards, based on the ratio of enrolment each board has with regard to the total enrolment of both boards of education. While this may not have a detrimental financial effect on separate boards under the proposed system, it would if the former local taxation system is reintroduced.

On the creation of district school boards, our new district school board number 31 stretches over 600 kilometres from east to west and 250 kilometres from north to south and encompasses many communities. Yet when the regulations were developed to determine the number of trustees who would represent this vast area, the regulations identified this new school board as a high-

population-density board. This resulted in only six trustees being allocated to this large geographic school board. We failed to comprehend the rationale behind declaring this area a high-population-density area and petitioned both the ministry and the Education Improvement Commission to revise the status of our new school board in order that additional trustees be allocated. These petitions were to no avail. It is our hope that the ministry will rectify these shortcomings for the next school elections in order that the school supporters in this vast area have better representation on the school board.

I ask you to look at where the problem lies. If it be in Toronto, so be it. Northern boards have had to be innovative and frugal, and I want you to understand the word "frugal," because we have had to be to maintain a quality education delivery. In that innovation, we have developed a good relationship with our employees, and our board has excelled in testing in math and English. That is due to the cooperative efforts of our board and our teachers. We stand proud because we have acted as a team, and the result is that we've given you high-quality education. I suggest that you look at our efficiencies and apply them to what does not work in other areas.

In relation to the power of the Lieutenant Governor in Council to make regulations, this part of the act makes sweeping changes to how working conditions for teachers are determined. Presently, these conditions, such as class size, the minimum amount of time a teacher spends with students, preparation and planning time and differential staffing, are determined through collective negotiations between school boards and teacher associations. Bill 160 removes such items and places them solely in the hands of the ministry. This centralization of authority and governance by regulations enacted by a small group of individuals in Toronto should, in our opinion, be rethought.

These matters are of vital importance to many people and as a result require the involvement of the stakeholders at the local level. These working conditions have been negotiated over many, many years between school boards and their teachers. The sudden removal of these items from collective agreements by this bill is not in keeping with the concepts of social justice to which many of us adhere and to which I hope you would adhere as well.

It is our recommendation that the ministry consider establishing guidelines in these areas, but that the final decisions regarding these working conditions be reached at the local level between school boards and teachers. These guidelines should be developed in consultation with parents, educators, government and ministry staff. The ministry has on many occasions stressed the need to have broad consultations concerning educational matters. Please walk the talk. Consultations to develop guidelines in these areas would be in keeping with the ministry's policies.

Bill 160 provides to the Lieutenant Governor in Council authority to make regulations regarding the role and functions of school advisory councils. In our board, all elementary and secondary schools have operational school councils. These councils, we feel, have an important role

to play at the school level in improving education and involving parents in their children's education.

The ministry has indicated its plan to review the function and role of these councils. When the ministry memorandum was first issued regarding school advisory councils, there was little consultation with school boards. We strongly recommend that when the role and functions of the school advisory councils are reviewed in the future, school boards be actively involved in a consultative process.

Presently, there is some confusion — I think there's lots of confusion — between the roles and functions of a school board and a school advisory council. If the roles and functions of the councils are to change, every effort should be made to delineate very clearly the differences between the roles and functions of these two bodies. If consultations occur, possible future conflicts can be avoided. It is our recommendation that this need for school boards to be involved in consultations be part of the new Education Act.

In conclusion, the rate of change in education with regard to curriculum development, governance and financing is occurring at a very rapid pace. It is when changes occur at this pace that errors in legislation can easily occur. We would urge the government to be certain it has conducted broad consultations with its stakeholders before enacting any new legislation which affects those stakeholders.

I'd like to thank the committee for providing our board with the opportunity to make our concerns regarding Bill 160 known to you this afternoon.

The Vice-Chair: Thank you very much, and you've used up exactly your allotted time. I appreciate that.

1510

WATSON SLOMKE

The Vice-Chair: The next group is the Central Algoma senior citizens.

Mr Watson Slomke: Good afternoon, Mr Chairman, members of the committee, ladies and gentlemen. My name is Watson Slomke and I am an Ontario Hydro pensioner. It is indeed my pleasure to be given this opportunity to express my views here today and as a representative for the senior citizens of central Algoma.

At the outset I would like to state my position on the proposed Education Quality Improvement Act, 1997. Bill 160 makes clear that we are now looking to articulate our vision of education for Ontario into the next millennium.

Parents, taxpayers and many teachers in Ontario realized that we pay far too much for a system of education that is producing average to less-than-average graduates on national and international scales. Our job as parents and citizens is to focus solely on creating better schools and better teaching methods so that all students are able to learn to the maximum of their abilities. Bill 160 will pave that way to a more reformed system that would be better managed, more accountable to parents and taxpayers, and would improve student achievement through limiting class

sizes and increasing the amount of time students spend with their teachers.

Bill 160 would allow the government to increase the amount of instructional time students receive, prevent school boards from negotiating increases in class size, increase teachers' time in the classroom and initiate a funding model based on students' needs rather than on property values.

To make sure these reforms took place in an organized and careful way, the government established the Education Improvement Commission to work with the local community, including trustees, classroom teachers, parents and other stakeholders in the education community, to guide the process of this change. The Education Improvement Commission recommended that the total number of hours students spend in the classroom be increased. Bill 160 acts on this recommendation.

In the past, school boards and teachers' unions have traded off the pupil-teacher ratio for higher salaries. This has resulted in larger class sizes for our students. Bill 160 would protect children from contract deals that increase class size.

Bill 160 will also allow the government to require that high school teachers spend more time with students in the classroom, as do their elementary colleagues in Ontario or their secondary colleagues in other provinces. Bill 160 would also require secondary teachers to be moved to the national average, four and one half hours a day, of instructional time in the classroom.

The bill will require fair funding of school boards and will establish the authority for the province to control education tax rates. This approach will solve the problem of spiralling education property taxes and will better address the education taxing concerns of the senior citizens of central Algoma. Most of these senior citizen taxpayers are on a fixed income. This legislative strategy will assure seniors the highest quality of education for our children in the most cost-effective way.

The purpose of Bill 160 is to ensure a smooth transition to the new forms of school governance, ensure fair and equitable funding for publicly funded schools, and create an effective collective bargaining framework. These goals can be accomplished in a manner that respects the constitutional rights of all Ontarians.

This province is diverse, and indeed in many existing cases quite unique. Under the old system, education tax rates varied across the province. People's tax burdens for education varied depending in part on where they lived. For a common service that benefits us all, such as education, this just doesn't make any sense. Bill 160 addresses these insensibilities and proposes that funding be allocated on a per pupil basis.

Our focus should be on delivering fair funding for high-quality classroom education right across the province. This would mean that we would be providing an equal opportunity for a quality education for all the students of Ontario, whether they are attending public or separate, English- or French-language schools, whether they live in cities, towns or rural areas or whether they live in northern

Ontario. These reforms are about improving fairness, not about favouring any particular school system or any special interest.

Bill 160 is the second stage to education reforms in Ontario. The province has already put together a plan that will strengthen curriculum, establish province-wide standards and testing, institute a standard report card, reduce the number of school boards, eliminate waste and bureaucracy, and reduce the number of school board politicians. The province's goals are to concentrate the resources, expertise and efforts where they belong: on students, on learning in the classroom.

For the new curriculum, there will now be province-wide standards set that will clearly state what students should learn and when they should learn it. Schools will now use easy-to-understand, standardized report cards so that parents can more easily see how their children are doing. The Ontario government's rigorous and demanding new standards will be the first stage in building a complete curriculum that replaces the previous government's Common Curriculum and provides a solid foundation in the basics. The new curriculum will focus on reading, writing, math, science and technology.

Ontario will be moving to a four-year high school program starting in 1998, and the curriculum is being revised for the new four-year program. Courses will prepare students for the future: either for jobs or for higher education.

Working together on Bill 160 and the new curriculum standards, we can build a system in Ontario that gives students the skills, knowledge, attitudes and habits they need to compete, succeed and contribute to society as responsible citizens. With this plan, the Ontario government is stating its commitment to improving the quality of education for every student in this province and to making the system more accountable to parents and taxpayers. We have a first-class teaching profession, and our students are as capable as students anywhere, but reforms to the system are essential if we are going to provide our students with an education that will enable them to compete in today's global economy.

The Vice-Chair: Thank you for the presentation. You've used up your allotted time.

ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION, SUDBURY DISTRICT

SUDBURY WOMEN TEACHERS' ASSOCIATION

The Vice-Chair: The next group is the Sudbury Women Teachers' Association. For the record, please state your name, and your time has started.

Ms Donna Cresswell: I'm Donna Cresswell and I represent the Sudbury Women Teachers' Association. Thank you for giving us the time today to speak to you.

Mr Laurie Rowlandson: I'm Laurie Rowlandson, representing the Ontario Public School Teachers' Federa-

tion, Sudbury District. I also want to thank you for the opportunity to present to you. Please excuse my voice.

We represent 550 public elementary school teachers employed by the Sudbury Board of Education. Our members are caring, flexible educators who have always demonstrated a commitment to the improvement of the quality of education for their students. We are experienced and highly qualified teachers who have throughout our long careers implemented a wide variety of effective teaching and learning strategies, new curricula and report cards as mandated by the governments and/or school boards of the day.

We believe our students are very well served by our excellent publicly funded system of education, but we do accept that change for the purpose of improving the quality of education is necessary if we are to prepare our students for meaningful participation in the ever-changing technological and collaborative society of the 21st century.

This improvement in quality cannot simply be legislated. It can only be achieved through the implementation of carefully planned initiatives that are the result of long-term collaboration among all educational stakeholders, which include, but are not limited to, parents, teachers, students, trustees, school council members and Ministry of Education and Training educational staff.

1520

Bill 160 does not facilitate this collaborative partnership. Bill 160 does not provide the framework for the improvement of the quality of education in this province. Bill 160 has little to do with education and absolutely nothing to do with quality improvement. Bill 160 is merely the much-heralded toolbox that will give the cabinet of the day the unrestricted and unaccountable power to deny stakeholder input into educational decision-making, tear up existing collective agreements that have been bargained in good faith, and reduce funding to education by over \$600 million. Bill 160 is a piece of legislation that is large in scope but short on details. If it is enacted in its present form, it will lead to the destruction of our publicly funded system of education.

This proposed legislation is just another piece in the puzzling Common Sense Revolution, a seriously flawed political agenda that will lead to the privatization of our province, a reduction in services and wage-earning potential for the vast majority of its citizens, and the denial of equity and equality for all. We are united in our opposition to Bill 160 in its present form and we urge the members of this committee to heed the warnings of parents, students and teachers and recommend to the government that Bill 160 be scrapped or radically amended and that all stakeholders be given a real opportunity to participate in the development of meaningful legislation that will honestly address the issue of improving education for Ontario's students. They deserve nothing less.

Ms Cresswell: Already the Premier has tried to justify the bill by accusing education authorities of squandering local taxpayers' dollars. "A 120% increase in taxes over the last several years is rationale enough for the bill," said

the Premier during his address to the province on the evening of Wednesday, October 22. However, the Sudbury Board of Education budget has decreased by some \$20 million over that same period of time, due in large measure to vast cuts to the province's share of the funding formula and to the increased costs of other government-mandated programs, such as workers' compensation and employment insurance.

Tories slashed funding by 11% in 1996, when they first assumed power, and another 6% this year. They have downloaded the costs of education to the local taxpayer and blamed the local boards for the shortfalls. This decrease in funding has had a very negative impact on the extent and quality of educational programs in the classrooms of the Sudbury Board of Education. During the last two years, in order to trim costs, the board has been forced to twin schools so that 19 elementary schools share principals; eliminate special education resource teacher staffing in elementary schools; reduce school budgets by 50%; seriously restrict the use of supply teachers; reorganize busing routes; and reduce and/or eliminate psychometrists, speech-language pathologists and educational assistants.

Again, money is at the crux of the educational agenda when Deputy Minister Veronica Lacey is contractually obliged to remove yet another \$667 million from education. While one member of the cabinet states that fiscal savings will be plunged back into education, we find out later that this information was a mistake. In effect, what is taken away now is taken away forever. This further reduction in educational funding will create the crisis.

While Bill 160 suggests the use of unqualified teachers, arguing their use for areas such as junior kindergarten, art, music and phys ed, it makes no provisions for what areas will require qualified teachers. This lack of clarity must not be left for later interpretation. Barely a year ago, the Ontario College of Teachers was incorporated as an act of the provincial Legislature to assure quality and professionalism in education, particularly among teachers. The ink of that legislation has barely dried and the same legislators withdraw their concerns about qualifications and professionalism in favour of cheaper uncertified help.

The government rhetoric states they will reduce class sizes. Specifically, the bill provides unfettered powers of cabinet to set class sizes. Reduce or increase? The government asks the public to trust them — an agenda which has proven time and again it will sacrifice quality to satisfy its need to save money. Any changes to class size can only be presumed to be for the larger.

Mr Rowlandson: In a democratic Ontario, it has always been recognized that workers had the right to bargain freely with their employers. Bill 160 will basically deny that right to teachers. The scope of bargaining will be seriously limited and teachers will be unable to negotiate many very important working conditions, which in reality are student learning conditions.

One such issue is preparation time. Preparation time was not a God-given right bestowed upon teachers. Rather, it has been negotiated in a free and fair collective bargaining process. Teacher preparation time is essential

if teachers are to plan adequately, work individually with students, collaborate with parents and colleagues and evaluate student achievement. Decreasing the amount of preparation time will not increase student-teacher contact time. It will simply serve to decrease the number of teachers within a school to work with students.

Ms Cresswell: Bill 160 removes all democracy from education in the province of Ontario. It removes any decision-making power from those who are devoted to education, like parents, teachers and other education workers, and gives it entirely to the cabinet, a small, élite oligarchy whose wishes we could only hope represent the will of the public.

We in Sudbury are tremendously concerned about the enormous new decision-making control this bill would transfer to cabinet, for already both the Premier and his Minister of Education and Training have demonstrated inconsistencies in their public interpretations of the bill. They say it has nothing to do with money, whereas time and time again the bill is described to the public as a tool with which to extract fat from the system — a tool which if passed will allow no local education decision-making powers beyond simple recommendations.

Look at the power to decide whether teachers should have time with students outside the classroom. Look at the power to determine class size. Look at the power to decide who should even be a teacher. These decisions are by cabinet alone. Look at the power to levy property taxes for education and remember that they are still going to be 53% of business tax and 27% of residential taxes, and realize that those powers to tax need no bill. They will be a cabinet decision, one which may not even be constitutional. Look at the clause in this bill that gives the cabinet power, if it decides it is necessary for financial reasons, as broadly as that may be interpreted, to take over a school board. Finally, look at the clause that gives cabinet power by regulation to override not only this act but any other act, and ask yourself whether there is any semblance of democracy left in educational governance when this bill passes.

Do you really trust your cabinet colleagues so much? Are you so convinced that achieving the agenda is worth it at any price that you are prepared to give up your elected accountability as legislators?

Given the record of this government to date, no more trust is deserved. When it makes a promise, it is a good bet it will be broken.

To give unfettered, unquestionable power to unscrupulous decision-makers is a dangerous folly. The Toronto Star editorial of October 25, 1997, sums up the credibility of the government and Bill 160 thus: "It's clear this government cannot be trusted to make decisions about our schools behind closed doors."

Interruption.

The Vice-Chair: Please. If we don't want a recess, let's keep the demonstrations down.

That ends the amount of time you have.

1530

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION, DISTRICT 40

The Vice-Chair: We call on the next group, the OSSTF, District 40, West Parry Sound Division. State your name for Hansard and begin, please.

Mr Bill Webster: My name is Bill Webster and I am president of District 40, OSSTF. I thank you for hearing me today. I'd like to do more talking than reading but time constraints are bothering us all, and this is literally hot off the press, so if I do more reading, I apologize.

Let me begin by saying that I support fully the brief submitted by my provincial body. However, let me bring a few insights as a citizen of Parry Sound and Muskoka, as well as a citizen of the north. No individual is a single dimension. Yes, I'm an OSSTF officer, but I'm also a parent, a teacher, a curler, a skier, trying to be a golfer —

Interjection: A skier?

Mr Webster: Depends on who you ask; I think so. I'm not on crutches yet. I'm even the president of a very tiny company. In short, I'm a citizen. It is as a citizen as well as an educational worker that this legislation, as I now read it, disturbs me deeply.

I would like to concentrate on the arbitrary concentration of power, the resulting loss of democratic input, and a legacy which I'm not sure any of us wants.

My mother was born and raised in Kenora. My father was born and raised in what is now Thunder Bay. I live and work in Parry Sound. I can assure you that the most chilling phrase a citizen living north of Major Mackenzie Drive can hear is, "I'm from Toronto and I'm here to help you." We used to say Highway 7, but you know how things are spreading and I can be flexible. But we haven't really been faced with anything like this.

I've read much of the bill. A copy of it is spread over my hotel room floor upstairs. Again and again and again I read sections and subsections beginning with the phrase "subject to the approval of the Lieutenant Governor in Council," and "the minister may make regulations." I find these words chilling; certain sections of the bill, particularly subsection 58.3(3), which starts, "In the event of a conflict between a regulation..." and ends with, "and a provision of this or any other act, the regulation prevails."

This bill, as it's now written, is a time bomb and it's ticking all too quickly. With its passage, if you'll forgive the rhetoric, the bastion of democratic debate and decision-making concerning education will be blown into history. Students, parents, taxpayers and educational workers will be held hostage to government regulation. Even as simple a thing as the number of desks in a classroom or as complex a thing as what constitutes a classroom will be decided by government regulation. I really don't care whether one is for or against it, once this bill is on the books, it's on the books.

When I read the word "may" in Bill 160, I know it means "will." To speak personally, I didn't spend all the

time I did to get my FAC, my hunting licence, oil up my gun and get all my shells just to frame them and hang them on the wall. No, I'm getting them in place to use them, and that's what this government is doing. To those who are within hearing, let me repeat: When you hear the word "may," it really means "will." This government will use its arbitrary powers to build or destroy, and none of us in this room will be able to do anything about it — or maybe some of us can — but so will any government in the future.

In recent years we have experienced wave after wave of immigration to Ontario, many escaping arbitrary governmental control over their lives. They understand and have lived the reality of government by regulation — ask someone from Vietnam or China — but not so those of us who have faith in our system of government in Ontario. My family, that's been around for four generations, we're having a hard time with this. I'm having a hard time with this.

Saturday evening a long-time friend and his family were guests in our home. They support this government, and knowing me, they asked me how I couldn't support Bill 160. We spent some time going over Bill 160 and I showed them some of the sections that I referred to before, beginning with the words, "The minister may make regulations," and including the one concerning the length of school day. My friend said, "The government wants to lengthen the school day and I agree with that." I asked him where specifically does it say they're going to lengthen the school day. We couldn't find it. We couldn't find any specific wording for any of the other initiatives my friend supports. They're not there. There are no specifics.

What he and his wife saw were arbitrary powers to make decisions. He and his wife and their families have lived in this province for generations, and they began to think and they didn't like the conclusions that they were coming to. Lengthen the school day, shorten the school day, eliminate the school day, eliminate the school year, make the school year 365 days a year. Arbitrary power is arbitrary power.

Many of us are beginning to realize that this government is changing the rules and passing these new rules on to any future government, and we're asking why. My friend asked, why? It's a good question. I really don't know. Perhaps this government, from the very worst, doesn't know what it's doing, hasn't figured out how to do it and is pressed for time, and well, here we have it. Perhaps they know what they're doing but they haven't figured out how. Perhaps this government knows exactly what it's doing, knows exactly how it wants to do it but doesn't want to face the public or the Legislative Assembly. The effect is the same: The legislator becomes the regulator; rule by law becomes rule by fiat.

You'll have to forgive this analogy, but it's been a long weekend. The butter knife of arbitrary law can be used to do many things. It can scrape off perceived excess butter, but it can also slather on more butter, or jam, or at worst, it can cut the piece of toast to pieces. I don't want to see our education system turned into toast.

This law will be on the books long after this government is gone, a law giving any future government of any ideology arbitrary decision-making power over the cornerstone of any democratic system: education.

Personally, I will not passively sit back and watch my ability to influence educational decision-making disappear.

I ask this rhetorical question to the opposition parties sitting on the committee: How will you use these powers? Begin to search yourselves now. No government will stay in power forever. What will you do? I ask this of the government members on this committee: Is this your legacy? Is this how you want to be remembered?

I believe that, as it's now written, this bill needs to be changed. There is some wording in here that needs to be changed, at least some sort of sunset clause. I think there are some options for this government and I trust that some of those will be looked at.

The Vice-Chair: Thank you very much, sir. You've used up your allotted time, pretty near right to the second. We appreciate that very much.

1540

FRANCO-ONTARIAN TEACHERS' ASSOCIATION

ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS

The Vice-Chair: The next group we call is the AEFO, public schools, Sudbury, and the AEFO, separate schools, Sudbury. Would you please come forward and identify yourself for Hansard.

Mr Paul Charron: I am Paul Charron. I represent the AEFO public schools, and this is my friend Guill Archambeault. He's from the separate schools. We'd just like a slight correction. We are AEFO representatives. Guill represents the new board that goes from Sudbury to Wawa, and I represent the new public board that that goes from Sudbury to Manitoba, so significantly more than just Sudbury. We will be making most of our presentation in French. We will answer questions at the end.

Notre présentation a deux volets. Dans un premier temps, nous parlerons des effets de ce projet de loi sur nos programmes et nos écoles. Ensuite, nous aborderons comment ce projet attaque nos droits fondamentaux comme citoyennes et citoyens syndiqués.

Nous, les enseignantes et les enseignants franco-ontariens de Sudbury à Long Lac, sommes particulièrement inquiets des implications néfastes que le projet de loi 160 aura sur nos écoles. La grande majorité de nos écoles sont de petites écoles qui offrent le plus de programmes possibles avec leurs ressources humaines limitées. Nous n'avons pas d'école de 160 enseignants comme on l'a vu dans les nouvelles ce matin. Si le gouvernement réduit le temps de préparation, ces écoles devront remercier certains de leurs enseignantes et enseignants.

La réduction du personnel enseignant dans les écoles secondaires qui comptent déjà peu d'enseignantes et d'enseignants pourrait entraîner la perte du seul spécialiste dans un domaine particulier. Il faut souligner que 11 de nos 15 écoles secondaires ont moins de 20 enseignantes et enseignants. Plusieurs en ont moins de 10. Quand une école comprend peu de personnel, les activités parascolaires sont difficiles à se partager. La perte d'une seule personne peut vouloir dire la perte de plusieurs activités pour nos élèves.

À l'élémentaire, moins d'enseignantes et d'enseignants veut dire moins de temps pour rencontrer des élèves qui ont besoin d'aide individuelle, moins de temps pour les élèves qui ont des difficultés d'apprentissage, moins de temps pour des élèves qui ont des problèmes de comportement, moins de temps pour communiquer avec les parents. La loi 160, partie V, soussection 81(170.1) donne au ministre le droit de réduire le temps de préparation et met en jeu la viabilité de nos écoles.

Ce même article donne au ministre le droit de désigner certaines matières comme étant propres à être enseignées par des gens non brevetés et aura un effet analogue à la réduction du temps de préparation. Au secondaire, peu d'enseignantes et d'enseignants enseignent à temps plein les matières désignées, comme éducation physique, arts et orientation, dans nos écoles. Si, par exemple, l'éducation physique doit être offerte par une personne non brevetée, la perte de cette enseignante ou cet enseignant dans l'école pourrait occasionner la perte du prof de chimie. Souvent c'est la même personne dans nos écoles, avec peut-être une période d'éducation physique et trois de chimie.

À l'élémentaire, les services d'éducation spéciale ne peuvent pas être offerts de façon adéquate par des personnes non qualifiées. Dans des petites écoles, les sujets tels l'art, la musique et l'éducation physique ne sont pas offerts par une seule personne. Ces sujets font partie intégrale de la tâche journalière de nos enseignantes et enseignants. Nos écoles ne peuvent pas se permettre de telles coupures.

Dans un deuxième temps, ce projet de loi, en particulier lesdites sections, fait en sorte que nous serons le seul groupe syndiqué au Canada qui ne peut négocier ses conditions de travail. Nous croyons que c'est une injustice fondamentale. En plus de placer toutes nos conditions de travail dans les mains du lieutenant-gouverneur en conseil, ce projet de loi va jusqu'à prescrire les budgets opérationnels de nos employeurs. Nos négociations futures sous de telles conditions ne seront qu'une farce.

Nous avons deux avenues à vous suggérer pour l'amélioration de cette loi : retirer les articles qui limitent nos conditions de travail, en particulier les articles partie I, section 7 et partie V, soussection 81(170.1), et redonner aux conseils le droit de percevoir des impôts ; ou retirer les mêmes articles et ensuite changer la loi sur les négociations provinciales. Faites en sorte que les syndicats puissent négocier leurs salaires et conditions de travail au niveau provincial. Chaque conseil scolaire par la suite pourrait négocier des ententes sur l'administration journalière. De cette façon, le gouvernement pourrait garder à

Toronto le contrôle des dépenses en éducation, si c'est ça qu'il recherche. Je vais passer la parole à mon collègue.

M. Guill Archambeault : Cent vingt-six mille enseignantes et enseignants, sont-ils dans l'erreur ? Cent vingt-six mille enseignantes et enseignants sont-ils si mal informés ? Mes émotions de la dernière semaine sont passées du plus haut niveau au plus bas niveau de la montagne russe : nomination d'un nouveau ministre, espoir d'un règlement jusqu'à hier soir à la dernière minute. Mes sentiments de ce matin n'étaient pas beaucoup plus clairs que de hier soir.

Ce gouvernement veut usurper les droit des conseils scolaires et des parents. Le gouvernement actuel veut s'emparer de tous les pouvoirs et par le fait même devenir notre employeur. Messieurs les membres de la Législature du côté du gouvernement, quelle sorte d'employeur serez-vous ? Quel employeur dénigre ses employés comme vous l'avez fait depuis votre arrivée au pouvoir ? Si un malaise existe entre employeur et employés, il existe de bien meilleures façons de solutionner ses problèmes que de créer une crise.

Finalement, j'aimerais vous dire un mot sur la désobéissance civile, car c'est de cette façon que les enseignantes et les enseignants de cette province voient cette protestation politique. S'il n'y avait jamais eu de mouvement de groupe, comme l'ont dit si bien certaines personnes en fin de semaine, les femmes n'auraient pas encore le droit de vote, les noirs seraient encore des esclaves et Nelson Mandela ne serait jamais devenu le président de l'Afrique du Sud. Nous ne pouvons pas laisser passer ce projet de loi qui, selon nous, détruira un bon système d'éducation. Nous vous remercions de nous avoir écoutés.

The Vice-Chair: Thank you very much, gentlemen. We've got about one minute left, and that is hardly time to divide up between the groups. However, if you people would like, either one of you, to use another moment up for anything, feel free. No? Thank you, then, for your presentations. They were certainly well presented.

SAULT STE MARIE BOARD OF EDUCATION

The Vice-Chair: The next group is the Sault Ste Marie Board of Education. Would you identify yourselves and please start.

Ms Margaret Roch: I'm Margaret Roch. I'm a trustee with the Sault Ste Marie Board of Education.

Mr Bill Hall: I'm Bill Hall, and I'm the chair of the Sault Ste Marie Board of Education.

Ms Roch: As a member of the Sault Ste Marie Board of Education, I thank you for this opportunity to present our views on Bill 160, the Education Quality Improvement Act. We believe Bill 160 crucially hinders the role of the trustee. It is a fundamental violation of the democratic rights of the citizens of Ontario.

The locally elected trustee is the safeguard of a public education system. The election process allows community members to select trustees who reflect the needs, values and aspirations of the community. Trustees will be held

accountable for those decisions by the electorate. A trustee cannot be an advocate to the community without being financially responsible to the community.

The government's reform proposal removing the right of school boards to tax removes all the authority measures of financial guardians and leaves only the accountability and responsibility. Local school boards will still have the responsibility of negotiating contracts and addressing local program needs. How is this possible without some power to tax? We have not been provided with any details of the funding model. How can a bill be passed with details to follow?

OPSBA emphasizes the importance of developing the right funding model from the start. There is concern that the Ministry of Finance, not Education, will set the tax rate. The matter of adequacy must be an integral part of the funding model from the beginning, and it must be monitored closely. The price of failure is too high. It is the future of our students and the economic stability of Ontario that is at stake. The funding model must provide sufficient funds to provide programs and services to meet the needs of all of the students of the only publicly funded educational system that serves every student who enters the door. Any further reductions in funding, as suggested by senior ministry officials, are totally unacceptable.

1550

Bill 160 gives unprecedented powers to the Lieutenant Governor in Council. This allows the cabinet to meet behind closed doors without consultation with opposing views and make sweeping changes to education. For changes that will affect so many, we must have debate. The media, the public and opposition parties must be able to react in an open forum. There should be a chance for people to say, "Wait a minute; we have a better way." There has to be room for dissension, discussion and compromise. We live in a democracy. This power of the LGIC will continue with subsequent governments. We could be in a perpetual state of upheaval as each government makes changes to suit its political agenda.

Unions are legal entities in Ontario. Contracts are legally negotiated. The LGIC should not be able to arbitrarily break or change legally binding contracts. Any changes or revisions should be done with both parties negotiating.

School advisory councils will be mandated for every school with expanded roles. How do you mandate volunteerism? Their roles are through regulation, not legislation. Their roles appear to be what the government of the day desires. The school parent body, not the electorate, elects these councils at large. To whom is the community representative accountable? The school council role will be an insular role without the necessary broad-based community outlook. Schools will not be uniform throughout the district because of differing makeup and dedication of councils. School councils have no legal responsibility to inform the community of their actions or decisions.

As a parent, I wished to become more involved in the education process and therefore ran as a trustee. This

option has always been there. As a trustee my current concerns are, as a parent and community member, to look out for the interests of all the students in the board's jurisdiction.

The size of district school board 2 is of great concern. Our small northern boards have very particular needs. Will Chapleau and Hornepayne's interests be met by a single trustee from Wawa? Will member boards be able to be physically present at meetings during our long, harsh winters? What will be the cost of travel and accommodations?

The EIC is an unelected body with seemingly limitless powers. Their powers are to continue for the next three years. The orders of the EIC are final and shall not be reviewed or questioned in any court. This is stated in the bill. These are frightening powers.

Issues such as differentiated staffing and decreased prep time are too open-ended and need crystal clear guidelines as to the government's intent. These need to be resolved with all parties concerned.

We believe in our education system and our teaching staff. We believe in a partnership with boards, parents, teachers, community and government to effect change with open consultation and respect for the democratic process.

On behalf of the Sault Ste Marie Board of Education, I thank you for the opportunity to present our concerns on Bill 160. We thought if it was short and sweet, you'd still be listening.

The Chair: You've left a good time, well over a minute per caucus, for questions.

Mrs McLeod: Thank you very much. I'm appreciating the presentations that come from trustees so that we do remember that it's a balance of power, which has been effective in the past, which is at stake here with the government taking total control.

I want to ask you a question I was getting at with a previous trustee. She didn't have an opportunity to answer, so let me place it again. If government gets into the legislating of class size, whether by capping or by maximums, by averages, if they do that at the same time that they withdraw a further \$700 million in funding and if they do it without any new funding for the 25,000 students per year who are expected — and we have been told by the government that there will be no new funding for the 25,000 new students — how do you as board members manage to implement that class size legislation?

Ms Roch: I can only see it as losing some very valuable programs, especially in our special education area. We have an excellent special education program in Sault Ste Marie and those needs are expensive. I don't see how we can continue providing those if money has to be taken out to cap class sizes without any new money coming in.

Mr Hall: I've always stated that maybe we should cancel grade 4 — I'm being facetious when I say that — as a method to save money. If you cap the class sizes, I'm sure there will be a loss of program.

Mr Martin: I want to take this opportunity, because it may be the last I get, to thank you and your colleagues on the board for your service over a great number of years. You're in your last days and that's very sad. You and I and your board have had dialogue over the last seven years. We haven't always agreed on everything, but it's been good. It's been honest, it's been up front and it's been always trying to improve the lot of the students whom you serve and the parents.

You've been, in my mind, insulted deeply by this government, by some of the comments and by Bill 160. What's the feeling around the table among the trustees as they move on now to other things?

Mr Hall: I think they were very hurt by the government charges of the trust. I think some of our trustees were long-serving. We have three or four of them who had 20-plus years' service who are not involved in the new district board. I think they're frustrated and hurt over that allegation. I think they took their responsibilities as trustees very seriously as they did their job — I'm sure they took them as seriously as you MPPs take your jobs and your responsibilities as members of the Legislature — to do the kind of job that was necessary for the students of Ontario and especially the students in this community of Sault Ste Marie. It's going to be very difficult for the new district school boards without the experience that these trustees would bring forward. Hopefully they will be available for consultation, but without them it's going to be even that much more difficult.

Mr Smith: Thank you very much for your presentation. This is a matter of interest. I recognize the comments you made about the funding formula, and it's certainly an issue that's been addressed repeatedly through the course of deliberations around this bill. In your best guess, what would be the most reasonable time frame for implementation from a school board's perspective? Working back from September 1998, when would you need that and what time frame would be best?

Mr Hall: What time would we have needed the funding model?

Mr Smith: In terms of implementation.

Mr Hall: I would have assumed last May or April, because we already set the school year budget for January through to June when we set the budget last May. The government has changed the school year, I know, from September around. I would have liked to have seen it now or have it in our hands now so that we can do testing scenarios on it to see whether it's adequate and so that we can get back to the government and say where it is good or bad or where it needs adequate improvement so that we're able to maintain the quality of education to our students. I'm afraid that without it we're not going to be able to do the things that are necessary to ensure the quality of education in the future.

The Chair: Thank you both very much for your presentation here today.

1600

LOCAL ACTION
CO-ORDINATING COMMITTEE
ONTARIO TEACHERS' FEDERATION
MICHIPICOTEN SCHOOL DIVISION

The Chair: Our next presentation, scheduled for 3:50, is the Local Action Co-ordinating Committee, the Ontario Teachers' Federation, Michipicoten School Division.

Interjection.

The Chair: I'll be pleased if you'll excuse my mispronunciation of the organization. You have 10 minutes. Would you please proceed.

Mr Terry Switzer: Good afternoon. I'm Terry Switzer, a father, a husband, a teacher, president of the OSSTF, Michipicoten Division, and chair of the Local Action Co-ordinating Committee of OTF.

Mrs Marny Chauvin: I'm Marny Chauvin. I'm a teacher and a parent. With regret, today I joined the teachers across Ontario in an action which we feel we have been forced into taking. It's very sad that we have all come to the position beyond compromise. My prayers ask for an equitable solution to the unfortunate difficulties.

On the first page of our submission is a background of the organization for which I speak. I would like to focus today upon how Bill 160 impacts the schools and teachers I represent and suggest ways to make it acceptable, particularly as it affects small schools common in the rural areas of northern Ontario.

I would like to talk to you this afternoon as both a parent and as a representative of all the teachers of my small community about our children. I agree with Mr Harris that regardless of our politics we all want our children to get the best education there is. This afternoon I would like to talk to you about how Bill 160 negatively influences the quality and equality of education for the children in our community.

Small towns in northern Ontario are wonderful places to raise children. Most of the population are there by choice and appreciate the safe schools, the security of knowing the neighbours and the fact that the forests of Ontario are our backyard.

We have a close-knit community of teachers. We have pride in the way we meet the needs of most of the children in our schools and we do nearly all things. We have very limited access to professionals through the education system other than teachers. Speech pathologists, psychologists, psychometrists and other educational consultants are provided to us on an itinerant basis. When not available, teachers do what we can and we do it to the best of our abilities. One of the more positive aspects of the board amalgamations is the potential accessibility to some of these important professionals.

Over the years, services other than education have been provided from distant centres. It has been my experience that although our needs are great, the density of population in the cities does not allow the service providers to justify the loss in time and costs to provide comprehensive

services to Michipicoten on a regular basis. Funding removed from the entire Ontario educational system will reduce money available to district board 2, which could negatively impact the provision of these services. Our new school district will face greater difficulties and will require enriched funding for outreach to its more distant schools.

Mr Wildman: The largest in Ontario.

Mrs Chauvin: Yes.

How can our new school boards be expected to extend services beyond the administrative centres without extra money? We are concerned that the funding formula decided by the Minister of Education by regulation will be inadequate. One formula does not fit all.

Will the needs of our schools be heard by distant trustees? The one trustee for the public English system will represent 12 schools from five communities. For the separate English system, one trustee represents three communities. In the French separate system, Blind River, Sault Ste Marie, Michipicoten and Chapleau have one voice, while for the French public system, one trustee represents approximately 100 students. We have lost fair and democratic representation, but more important, the Minister of Education, in distant Toronto, will not be able to address those things that make our schools function in a unique and special way.

There is no need to restrict who can or cannot be trustees. Currently our board members are our neighbours. We all understand the needs of our community and over the years together have negotiated the best conditions possible for the learning environment of our children.

In any small community it is impossible to create a public service board without the potential of conflict of interest. We have all learned to deal with this and have become more understanding of the issues. It is enriching to explore the points of view of all areas within the decision-making body. We all are neighbours, friends, siblings and relatives. It only becomes more evident when living in a small community. This does not cause problems, but increases the feeling of community and of common aspirations for our schools. Limiting who can be a trustee only serves to drastically reduce the pool of individuals who might make a positive contribution to our education system.

The most dangerous and terrifying aspect of Bill 160 is the notion that one person, the Minister of Education, has the power through regulation to make sweeping pronouncements and changes that could devastate our educational system here in Michipicoten, not by any malicious intent but simply by not noticing our small communities and not recognizing their unique nature.

In general, the imposition of the will of an increasingly centralized core of decision-makers makes it impossible to reflect the diverse needs of all the individual children in the province. We do not understand or envision how it is possible to ensure that the children in Michipicoten have fair and equitable access to a quality education through the changes proposed by Bill 160.

Bill 160 stipulates that the seniority list of our new school board will be based upon a common definition of seniority. In addition to the losses due to reduced funding, this could lead to the replacement of many of our teachers by teachers from the large city in our new board districts. As an example, estimates based upon a loss of only 12% of high school teachers through a proposed decrease in preparation time of 50% would result in the direct loss of five teachers currently on staff and, in addition to that, the potential for the replacement of another six by teachers with greater seniority who would be displaced from the Sault Ste Marie board. This represents nearly 40% of the high school teachers in Michipicoten and does not include the loss of teachers in the other schools due to the reduction of funding.

Bill 160 allows by regulation province-wide the establishment of class sizes. We do not have assurances that this government truly wants to reduce class sizes. We believe that, whatever is established by the government, our classes will grow. Historically we have kept the classes smaller because this meets our community needs. It was accomplished through negotiation and local taxation. As a result of this process, the children in our community have greater funding per pupil than in Sault Ste Marie. This is necessary for many reasons, from the length of our cold season to the distance our students live away from the schools.

Bill 160 proposes to remove the opportunity for communities to answer the needs for smaller classes by pitching in through taxes. As well, it removes the right for teachers to negotiate the reduction of the sizes of their classes. These provisions do not favour our community and are contrary to the rights inherent to the collective bargaining process.

If our public high school of 330 students loses 12% of its teachers, it will stand to lose many of its extra-curricular activities and jeopardize individual student attention. Unlike city schools, the teachers in our high school do not have repeated classes. Each class that they teach is different from the others in one day and often there are multilevel and multigrade classes. We will have to reduce the course variety offered, especially to our senior students, because there will not be the expertise. The smaller senior classes we often must run will have to go; either that or, to balance out the average, we will have some very large classes. There is no room for a large class in many of the classrooms in the school. If the committee could recommend that class sizes be capped, but not at the exclusion of small classes to meet special needs, this is one part of the bill we could agree with.

The government proposes that an increase in teacher-student contact time will improve quality of education. We believe this translates into more students for each teacher rather than more teachers for any student. It means in our small high school that students may see the same tired teacher for more than one course.

Imagine yourselves reading 100 pages of written materials. How long would that take you? Now think about not only reading it but thinking about what is

written, correcting grammar and spelling and making a response. Teachers do this as well as prepare lessons, organize equipment, talk with parents, confer with other teachers, coordinate activities, counsel and sometimes seek intervention in children's social crises — remember, we do not have access to board psychologists — and the list goes on. Which of these activities, if lost, will contribute to the improvement of the quality of education?

The number of hours that students see a teacher should not change. The government proposal will create tired, more stressed teachers who will have little energy or enthusiasm to offer extra activities. This will lead to a decline in the quality of education, not to an improvement.

This government claims that the intent is not to increase class sizes but to reduce them. It is beyond comprehension how millions of dollars can be extracted from the educational system and there not be an increase in the size of classes. However, for the sake of argument, we concede that this government has that intent. But what about the next government, or the next?

This brings us back to the most serious cause for concern, and that is the power of the minister to, by regulation, make changes that shall, by imposition of urban and southern Ontario solutions, reduce the quality and equality of education for our children.

In summary, we recommend that Bill 160 be changed: to allow boards to levy taxes to meet local needs; that all individuals, including relatives of school personnel, be allowed to seek office as a trustee; that teachers' federations be allowed to establish their seniority lists and implement the provisions; and finally, that teachers' groups be allowed to collectively bargain their working conditions, which are the learning conditions of our children.

The Chair: On behalf of the committee, I thank you both very much for your presentation here today.

1610

JANE LAFRAMBOISE

The Chair: Jane Laframboise. Welcome. Could you identify yourselves for the purposes of the record and then proceed.

Mrs Jane Laframboise: My name is Jane Laframboise. I am here as an individual. With me today is Mrs Kime Collver. She is also an educator with our school system in Goulais River.

I intended to have this also addressed or perhaps sent to the attention of Mr Harris, so I formally put his name in as well. Good afternoon, esteemed panellists. I thank you for allowing me this time today to share with you my growing fears and concerns for our current education system.

First and foremost, I am the mother of two small children, presently in grades 3 and 4. They attend a rural school outside these city limits, where I am actively involved not only as a member of our SCAC but also assisting my children's classes once a week.

What I have seen in the past two months of school has made me deeply concerned for my children's futures, for their continued quality of education and their market-

ability in their future workforce. Based on my personal experience in the past year and now this year, I have seen instances where the quality of education, due to budget cuts, has affected the children's opportunity to learn, and these issues must be addressed immediately. I fear for our children and the challenges being placed on their futures. We feel that the limitations being placed on them today will indeed handicap their imminent endeavours, and this is not acceptable. There are many concerns, but I have come to you with what I feel are several of the major issues and will present them here today.

What I view as my first concern is nearest and dearest to my heart: our library. As in most schools across the province, our library is now staffed one day a week by a qualified librarian. In a school that holds 326 students, the library is our most valuable teaching tool. In our rural community, children do not have access to the city libraries. Parents commute to work, and public transportation is not available. The students in larger class sizes have two computers to share, but not all computers in class are functional for referencing.

Our children rely heavily on a library that is no longer staffed. There is no one there to help them locate information to complete their studies and projects. Our library without a doubt has lost thousands of dollars in valuable books gone missing or damaged. Teachers working on specific class projects have difficulty obtaining information in the library because books are not being put back in the proper areas. I consider this an extreme handicap, one our children are deeply affected by. This is not acceptable and must be addressed. Our libraries must be made functional again to enhance our children's quality of education.

The retention of education assistants is another of my priorities. Without their support and continuing involvement in the education of at-risk children, individual needs have become extremely difficult, if not impossible, to meet. With an increase in class sizes and decrease in education assistants, it is now impacting on the quality of education our children are receiving.

In order to keep the primary class sizes down to recommended levels, it has increased class sizes in the junior grades and upwards. We are seeing as many as 30 children in a grade 4 class, for instance. In this class alone, there is one identified special needs student and approximately four more who either are waiting, or should be waiting, to be tested for exceptionalities. Our testing department saw two qualified people retire this year and not be replaced. These children now have to wait upwards to a year for testing, and with the amalgamation of boards it will take years, and by then it will be too late.

As you are aware, there is a ratio used with special needs students which I believe is three to one. Therefore this increases my daughter's grade 4 class to 33. This is not acceptable to me and must be addressed now. This class gets an education assistant for two hours in the afternoon. The rest of the day — fortunately, we have an exceptional teacher, I might add, in grade 4, but she cannot provide that quality education these children deserve.

On the same note, our grade 8 class is already at a critical level. This class has 28 students, which sounds light, but five of them have been identified as special needs students and eight are at-risk students, with one teacher. An intervention teacher comes in when she can, but cannot stay to help. There are high achievers in this classroom who need more attention, but the at-risk and special needs students are demanding and require more time. But what of the other 15 average students in this class? Where is their right to education? Where is their quality of education? This is far from acceptable; in fact, it is deplorable and must be corrected now.

Our school accommodates some very large class sizes. This creates other problems and concerns and will be paramount with the continuance of these large class sizes. Some of them are as follows.

Noise pollution: Our children come from a large, spread-out community. It is difficult for them to socialize other than at school. The large class sizes create a noisier environment that is stressful, particularly in the primary grades, to students who are sensitive, have short attention spans or are easily distracted. This will once again create a lower quality of education.

Access to computers: There are only one or two, on average, in classes. In these larger class sizes, these computers will be ineffective if we try to find time to share them equally among all the students in the class.

Ranges of student ability: The more children we have in a classroom, the greater the range of abilities there will be. For example, in a two-grade split, each grade will have three ranges of ability: low, average or above average. It is difficult, if not impossible, to teach six levels in one room. Someone or some group gets cheated. Who? It cannot be the low, because they are many times at risk, so they will receive the attention. Unfortunately the high-average students may receive less time than they deserve. We may never see their full potential grow. With split grades, the education system ends up shortchanging the children. Even report cards will be affected, as it will make it more difficult to grade the children properly in these classes.

Sharing of resources: With larger classes, sharing microscopes, textbooks, readers etc is impossible. In the primary grades it is difficult to send home readers for practice, as we do not have complete sets to accommodate large class sizes. These people, once again, do not have the opportunity to reach their full potential or complete studies to the best of their abilities.

Safety in classrooms: With extra desks being added to an already crowded room, there will be more room, so to speak, for accidents to occur. Some projects may not be able to be completed in class because of space restraints. Young children in the primary grades are not as cautious about how they move around people and obstacles. Larger class sizes and more desks can create more accidents.

Finally, another point would be the JK and SK enrolment. We realize that these classes are not factored into the PTR reports, but this year our school had an enrolment — and I've changed it on the sheets you've received — of

33 JKs and 26 SKs this fall. These numbers will continue to create class size problems in the primary levels over the next few years and will once again impact the quality of education that our children deserve.

All of the abovementioned impact on the education of our children. I find it difficult to believe that the introduction of non-qualified teachers, even in non-academic positions, will increase the quality of the children's education. If anything, it will jeopardize the well-rounded social skills that will be a key factor in the future competition for positions they will vie for. This is not an acceptable form of quality education.

1620

With the past budget cuts and two months into the new year, some teachers are already finding themselves funding incentives to motivate students, for art supplies and for resources in teaching units. I fail to understand why teachers now have to use their own out-of-pocket money to supply our children with the materials that are necessary to achieve the high standards of education expected of them. This is deplorable and should be addressed, once again.

I come to you today realizing there are no easy solutions. I am here simply to voice my concerns as a parent and to give you a sampling of what is happening in our school. Based on what I see now, it is obvious that in order to offer our children the right to a quality education, Bill 160 must be revisited. It must have input from parents, such as myself, and teachers, who are in the front lines facing these critical issues. It must change.

I agree that the standards of education need to be raised and monitored with care and concern. But I also know that cutting the budget has handicapped our future working citizens. Rural communities such as mine have felt the impact in the past year and are fast approaching a crisis stage with the continuing cuts.

In closing I ask you, my esteemed panellists, and Mr Harris if he were here, how you could agree that these cuts in education funding have indeed improved the quality of our education system. Considering what I see happening in my particular community, I ask you how you would consider that present conditions in the classroom have increased the quality of education. I ask you what you will do for us. What is your time frame?

The Chair: I thank you very much for your presentation. Your time has elapsed.

ASSOCIATION DES ENSEIGNANTES
ET DES ENSEIGNANTS
FRANCO-ONTARIENS ÉLÉMENTAIRE,
SAULT STE-MARIE

The Chair: The AEFO elementary, Hélène Groulx. Welcome.

M^{me} Hélène Groulx : C'est Hélène Groulx, présidente de l'AEFO élémentaire de Sault Sainte-Marie. Je représente les écoles francophones palier élémentaire de Sault Sainte-Marie. La moyenne d'élèves par école est

d'environ 140 élèves. Donc, nous voulons attirer votre attention sur le fait que nous sommes de petites écoles à l'intérieur d'un territoire très anglophone. J'aurais aimé présenter tous les points destructifs du projet de loi 160, mais malheureusement le temps ne le permet pas.

Les enseignantes élémentaire de Sault Sainte-Marie croient que le projet de loi 160 est destructif. C'est pourquoi je me concentre sur deux points qui sont pertinents au palier élémentaire : premièrement, comment les coupures affectent directement la qualité de l'éducation en salle de classe, et pourquoi il ne nous est pas possible d'accepter des personnes qui ne sont pas qualifiées pour enseigner dans nos écoles.

Vous affirmez que les coupures financières n'affecteront pas la salle de classe. Vous ne pouvez pas avoir réfléchi à cette affirmation. Déjà à Sault Sainte-Marie, nous manquons de matériel d'équipement pour les élèves. Un exemple concret de ceci est le nombre limité d'ordinateurs dans nos écoles élémentaires. Ceci ne suffit pas à une classe complète et ce sont souvent des antiquités qui ne fonctionnent pas. Les coupures affectent l'enseignement de la technologie qui est de nos jours une nécessité dans la salle de classe.

En enlevant les services d'appui, comme des enseignants ressources aux titulaires de classe, les enfants en difficulté d'apprentissage seront non seulement perdus mais complètement oubliés dans votre système. À Sault Sainte-Marie nous estimons qu'un bon nombre de notre population doit recevoir ces services, dû à l'environnement anglophone. Ces services sont un soutien épuisable au travail du titulaire de classe. Ils ajoutent un renforcement nécessaire dans toutes les matières académiques et rendent le matériel plus accessible aux élèves en grande difficulté d'apprentissage. Ces services trouvent une gamme complète de manipulatifs nécessaires à déclencher l'éclosion pour ces élèves.

Au bout opposé du continuum, ce service ajoute le matériel plus apte à servir de défi à ces élèves. Eux aussi ont besoin de continuer à être motivés dans l'acheminement vers l'excellence. Vos coupures affecteront tout ce petit monde à leur détriment.

Vous exigez que les matières de base soient bien comprises et vous déplorez le fait que les élèves d'aujourd'hui n'ont pas assez de mathématique, de sciences et de langue. Peut-être que, au lieu de faire des coupures financières, vous devriez faire des coupures dans le curriculum. Vous nous avez bombardé dans le passé de programmes additionnels tels que la prévention des problèmes sociaux, l'éducation antidrogue, le SIDA, la prévention de la violence et l'antiracisme, ainsi que le harcèlement, pour en nommer quelques-uns. Ils sont des ajouts au programme que vous avez exigé dans les années passées.

Les effets néfastes des coupures que vous voulez imposer auront encore une fois un double impact sur les écoles de langue française. Les jeunes francophones seront encore une fois les victimes de vos coupures gouvernementales. Rien ne semble vous satisfaire sauf l'effondrement total irrémédiable du système scolaire présent. C'est en effet la crise que vous cherchiez à créer.

D'après le dictionnaire, le mot «éducation» signifie un moyen d'assurer le développement total de l'être humain. Le vrai pédagogue utilise les données de la psychologie et la physiologie enfantines dans ses méthodes d'enseignement. L'enseignant donc doit être pédagogue. Comment pouvez-vous justifier à l'apprenant en plein développement et à ses parents qu'il est nécessaire de le priver d'une formation de ce genre ? Votre approche pécuniaire détruira avec certitude tous les bienfaits que l'enseignant a implanté pour assurer l'éducation totale de l'enfant. Il va sans dire qu'une aide n'est pas pédagogue. Il lui est donc impossible de transmettre les connaissances qu'elle ne possède pas. Voilà pourquoi l'enseignante qualifiée est l'outil par excellence pour transmettre toutes connaissances, ainsi que son approche pédagogique est absolument nécessaire à l'épanouissement maximal de ces jeunes individus.

C'est bien cette composante indispensable de la qualité de l'éducation que j'ai à coeur, comme tous mes collègues, d'ailleurs. Dans l'intérêt de tout ce jeune monde qui est notre clientèle, et pour le bien-être plus vaste du système d'éducation dans lequel nous oeuvrons, nous vous demandons de remettre en question votre décision et d'abolir le projet de loi 160. Nous voulons sauvegarder l'avenir de tous les enfants de l'Ontario, et surtout de Sault Sainte-Marie, en les protégeant contre les effets néfastes que votre gouvernement est obsédé à leur faire subir pour de simples raisons monétaires.

Ayant oeuvré pendant de nombreuses années dans ce système scolaire et ayant eu le privilège de sculpter, pour ainsi dire, ces enfants, ce poème ci-inclus à l'annexe A va sans doute vous faire sentir ce qu'est la vraie qualité de l'éducation. Lisez-le si le coeur vous en dit et vous comprendrez peut-être ce que veut dire être un vrai éducateur.

Nous avons deux recommandations pour l'abolition du projet de loi 160.

(1) Puisque le gouvernement a déjà enlevé plus d'un demi-million à l'éducation, nous recommandons le retrait du projet de loi 160 dans le but d'arrêter les coupures à un système déjà handicapé par les nombreuses coupures des dernières années.

(2) Nous vous recommandons de retirer les articles 170.1, (3), (4) et (5) afin d'assurer que les postes d'enseignement peuvent continuer d'être comblés par du personnel qualifié pour occuper ces postes. Nous vous remercions de nous avoir écoutés.

The Chair: We have just about 30 seconds per caucus.

M. Wildman : Merci beaucoup.

M. Beaubien : Madame Groulx, vous avez parlé dans votre présentation des petites écoles à l'intérieur d'un territoire très anglophone. Qu'est-ce que vous essayez de suggérer par là ?

M^{me} Groulx : Que nous sommes de très petites écoles et que l'environnement anglophone a une grosse influence sur nos petits enfants francophones, et que les besoins de l'éducation spéciale, de services spéciaux — que la formation de ces enfants continue en français.

M. Beaubien : Vous suggérez alors que c'est plus dispendieux de pouvoir —

The Chair: Thank you, Mr Beaubien. I'm sorry, we must move on.

Mr Bartolucci: Merci pour votre présentation. I would just like to thank you on behalf of my nephew. I'm from Sudbury, but my nephew lives in the Sault. His name is John David Doan, and he said that you constantly bring in resources that you pay for to make education exciting. I want to thank you on behalf of him and the other students you deal with, and I sure hope that the government listened to your wise words and will read your poem. It is beautiful and very meaningful.

1630

UNITED STEELWORKERS OF AMERICA, LOCAL 2251

The Chair: Our next presentation is the United Steelworkers of America. Welcome, sir. Please identify yourself and proceed.

Mr Ronald Bouliane: Good afternoon. My name is Ronald Bouliane and I'm representing the United Steelworkers of America. I'd like to welcome the Chairman and committee members to Sault Ste Marie, however cold it appears to be today.

I'm pleased to be here today to represent the interests of the members of my union, the United Steelworkers of America, Local 2251. As you have already heard, my name is Ron Bouliane and I'm a steelworker. I'm also a parent and a grandparent.

Local 2251 is by far the largest union, association or federation of working people, private or public sector, located within the district of Algoma. As such, we take our appearance before committee hearings like this very seriously indeed. We believe we are not only representing the views and concerns of our members and their dependants but also of those who for one reason or another lack the ability or resources to voice their concerns.

To say that we are upset and angry with the proposed cutbacks to the education system would be a gross understatement. As common, everyday working people, many of us have given up much to ensure that our children have an opportunity to reach for the stars. Their future livelihoods and prosperity are dependent on the quality of education they are able to receive. To see their futures held hostage by the promise of a tax break for the wealthy is obscene and contemptible.

For many parents of modest income, the degree of success which their children exhibit in the elementary and secondary school systems will be a determining factor in post-secondary education. Much will depend on the professional ability of teachers in delivering the information needed by students for successful completion of their learning objectives.

For adequate delivery of information, a certain amount of preparation time is required. Severely restricting that preparation time cannot help but affect the degree and quality of the information to be delivered. It gives the teacher time to better tailor the information to suit individ-

ual students within their class. In fact, it is not unlike customizing the product to suit the individual needs of each consumer, only in this case the consumer is someone very near and dear to our hearts. That consumer is our children and they are our future. When you are teaching your own children at home in their preschool years, you don't restrict the time you spend preparing yourself and them for learning experiences. Why would you want to do that to them once they leave the home environment?

Our children's education is not unlike some corporate policy, with the ultimate goal being the successful placement of the student in the workforce, in the field of their choice, with the necessary knowledge and skills. There are unavoidable costs and time requirements involved in the implementation of this policy. Perhaps if John Snobelen had stayed within the school system longer and Mike Harris had taught longer, they might have had a better understanding of the education process. Let's hope that Mr Johnson is a more enlightened and informed person than his predecessor was.

Let's get down to what Bill 160 is all about. It is not about designing and delivering a more responsive, more cost-effective system. I use the term "cost-effective" with some trepidation. It is a term which many of my colleagues in the labour movement have come to suspect. Whenever it has been used in the past it has come to mean fewer jobs, part-time workers earning lower wages, working longer hours with fewer benefits, side by side with someone who has fewer or no qualifications, under more arduous working conditions for a somewhat more hostile employer. Sounds somewhat familiar, doesn't it?

When John Snobelen uttered the infamous statement about creating an artificial crisis and then attempting to solve the problem so the government could be seen as having provided positive leadership, the public should have begun to suspect that this government held the education of their children in low esteem. When the Premier, Mike Harris, stated he was going to implement some cost-cutting programs in education, we should have realized that our children would not be the beneficiaries of enlightened thinking but merely the victims of a scheme that would see the top 10% of the income scale receive 66% of the tax benefit. What we would receive is larger, more inaccessible school boards with fewer members and less accountability; larger classes with less time per student available from their teachers, notwithstanding the promise of more class hours for the teachers; and the introduction of underqualified or unqualified instructors into the classroom.

My own opinion of this whole exercise is that it was a not-thought-out, half-baked response to a totally silly election promise. But what does my opinion count for? I am merely a taxpayer who wants to see nothing more than an education system that provides the best possible education for the young people of this province.

Mike Harris was on television last week explaining that he had to do something about the slipping quality of the education system. To help remedy the situation, he proposed to remove even more funds from education — at

least another \$650 million. Mike complained that Ontario was paying too much money for what it was getting and that other jurisdictions had far more successful students.

What he didn't say is equally important: that Ontario ranks 49th in a field of 63 jurisdictions in North America on money spent per student. The Northwest Territories is first on the list, spending \$12,423. North Dakota is 63rd on the list, spending \$3,489. Even the great, ultraconservative state of New Jersey, which spends \$10,426 per student, and Michigan, which spends \$7,587 per student, recognize the value and cost of a proper education.

Where does Ontario stand in this list of comparisons, you might well ask. Well, Ontario ranks behind Manitoba, which spends \$5,241 per student, and above Alabama and Louisiana, which spend \$5,123 and \$5,119 respectively. Ontario spends just \$5,224 per student per year. When you complain about your students ranking on international test scores but are unwilling to pay for their education, it smacks somewhat of hypocrisy.

There is truth to the old adage that you get what you are willing to pay for. If you want to prepare your children and yourself for the 21st century, then you've got to pay the cost. Failure to do so is condemning our children to the role of also-rans. But if you are trying to create a Mississippi North, with low wages, low expectations and high unemployment, the current path would be quite acceptable.

If you have not already done so, I recommend that you read the paper entitled Recipe for Success: Implementing Secondary School Reform, which was authored by the OSSTF. It provides a framework on which to make constructive and effective changes to the secondary school system and make it more responsive to the needs of students and the public. I have included them in the paper in a somewhat briefer outline than I was provided with, if you wish to go over it. I'll not take time for that but I think it would be helpful if everybody read them at some point.

I believe that this document provides the blueprint which will make our secondary school system among the very best. It certainly deserves serious consideration by the Ministry of Education.

1640

I have said this before to different committees and I will repeat this statement again, and Lyn McLeod knows this, Bud knows this, Tony knows this and Mr Bartolucci is probably fairly cognizant of this: People residing in northern Ontario have a different philosophy and a different way of dealing with problems than people residing in Southern Ontario. We try to find solutions which benefit to a greater or lesser extent as many people as possible. We try to accommodate and incorporate as many people into our solutions as we can. Maybe this occurs because of the vast distances, relative isolation or because we try to treat people as we would wish to be treated: with respect, concern and courtesy. We have yet to experience from the Progressive Conservative government of Ontario any of the above in any measure.

We have seen our health care decimated, we have seen our social services cut, we have seen our labour laws

scrapped, and now we are witnessing the system which educates our children and gives us hope for the future being torn asunder.

If it is true that for every tax dollar collected here in the north only 55 cents is returned, then the approximately one million residents of what is considered northern Ontario have to ask themselves whether or not they are getting good value for their money.

Are we being governed in a way which is mutually beneficial to our residents, and in a cost-effective manner? Are our interests and concerns being addressed in a way which we find acceptable? If the answer is yes, then we have truly gotten the type of government we deserve. If the answer is no, then perhaps it is time the people of northern Ontario seek autonomy within Confederation and end the colonial, patriarchal relationship we've experienced at the hands of Queen's Park and strike out on our own to create a system which responds to our needs.

The Chair: Thank you very much, sir. Our time has elapsed.

SARAH HUCKSON

JASON NACCARATO

PETER KORAB

The Chair: We'll proceed to the students. Would you please approach the table. Five of you can sit down, in any event. I would ask any of you who speak to the committee to identify yourselves before you speak.

Mr Wildman: Mr Chair, on a point of order: Just before the students make their presentation, I have delivered from central Algoma a large number of petitions which I've been requested to table with the parliamentary assistant to deliver to the minister.

Mr Martin: On the same point of order, Mr Chair: I have a whole bunch of petitions as well from high schools across this city, and also from teachers in the city, that I'd like to table and give to the parliamentary assistant to bring to the minister.

The Chair: I don't think they're points of order. However, you have expressed that desire and I'm sure my friend the parliamentary assistant, Mr Smith, will accept them.

Ms McLeod?

Mrs McLeod: If I can just have your attention for a second, Mr Chair: As you'll recall, the last time the committee had a delegation of some 10 students we had asked that they be allowed to record their names for Hansard in writing so that it didn't take up the 10 minutes they have to present, because identifying themselves would take all their time.

The Chair: I believe only three will be speaking. However, you could make out, if you wouldn't mind, your names and addresses, and if there's any reply that could be given to you, the parliamentary assistant could possibly do that. In any event, who's first? Just identify yourself.

Miss Sarah Huckson: My name is Sarah Huckson. I am 13 years old and I am in grade 8 at Our Lady of Lourdes separate school in Sault Ste Marie.

I believe that everyone here has heard everything both the teachers and government have to say about Bill 160. My aim in asking to talk to you is to allow a student's view on Bill 160 to be heard. I believe this is important and necessary because we are the ones who will be affected the most by this bill.

We are the future. We are the doctors, lawyers, teachers, nurses, secretaries, engineers of the future, and we will not reach our goals and dreams without a quality education. We want to succeed and we deserve that right.

I believe that you cannot remove millions of dollars from education and still provide a quality education. As a student, I don't believe this government promises that quality education is their goal. They can't be trusted.

This government has already made cuts to the schools in this city and across the province. If they made more cuts, we would be left with a skeleton school system — no special teachers for art and music, librarians, junior kindergarten teachers, guidance counsellors and more.

The government says it will limit class sizes, but they intend to cut 6,000 to 10,000 teachers. You can use any kind of math you want. The point is, fewer teachers equal larger classes.

This government intends to replace qualified teachers with unqualified people. Students do not want this. We want teachers who know what they are doing and have experience and training. We want the best, not replacements.

In my opinion, this government is making wrong changes to improve education. I don't think they care about the students. They only care about saving money. I think what the teachers are doing takes a lot of courage and I support them. They are the teachers of Ontario's future.

Please take what I have to say seriously and let us all work together to save education before it is too late. Please don't let Bill 160 become law.

Thank you for allowing me to speak.

The Chair: Thank you very much. Next.

Mr Jason Naccarato: Before I start, I'd like to thank you for allowing us the time to speak today. I'm Jason Naccarato. I'm from St Basil Secondary School. Also with me today are Peter Korab, from St Mary's College; Brady Dunne, from Bawating; Adam Kates, from Sir James Dunn; Sarah Cameron, from Mount St Joseph; Amanda Schwind, from Korah; and D.J. Lehto, from White Pines.

As student council presidents, we feel it is our obligation to express the concerns of our fellow students. We'll begin by addressing the key points of Bill 160 that affect the students primarily.

The first point is the power to determine class sizes. If class sizes are in fact made bigger throughout the bill, this will mean less time that a teacher can spend one on one with a student. I don't believe this will improve my education.

Also, to get to specific special cases, in our community right here at St Basil, we had an elementary school which was faced with a discipline problem where an adequate education environment could not be obtained. To correct this problem, class sizes were made smaller. By doing this, the students are now in an environment where they can learn. These students now have a better education. They're now learning at a better rate. If Bill 160 was in place, this move could not have been done.

I'll now call upon Peter Korab.

Mr Peter Korab: Thank you. Throughout all the events over the last few weeks, we students have heard a lot of information on the government's Education Quality Improvement Act. There have been all types of political opinions and fact manipulation, and a public address by the Premier that left me wondering if the thought police were going to be called in.

Students as a majority, though, recognize the need for a balanced budget and physical constraints. We must also ask ourselves, what does this have to do with quality education? Former Education Minister John Snobelen, at a forum in the Sault last spring, said the government was going to increase funding to the Ontario student assistant program. Under Bill 160, OSAP funding will be cut by \$80 million this year. We hate to think that slowly these cuts will lead to a post-secondary education that's only available for society's upper class.

On the issue of uncertified teachers in art, music and gym, we have to wonder how uncertified teachers will directly help the learning process of students. They may be able to cite personal examples on a subject, but that doesn't make them experts in teaching methods or in interacting with students, which we know is so important at the elementary and secondary school levels. As students, we experience real-life examples in education through guest speakers and school field trips.

Bill 160 also amounts to cutting student support staff such as guidance counsellors. We have to wonder where Premier Harris would be without his support staff.

1650

The government has said they will place a limit on class sizes. Unfortunately, they haven't found the time to say what the limit will be, nor have they said whether it will be a quota. By placing this sort of thing on classes, you could guess that a school like Mount St Joseph in the Sault where, because class sizes are smaller, they wouldn't be able to meet the quota and those students would be transferred to other schools and the Mount would close.

We have a hard time believing the government is an authority on education when the Education Improvement Commission they hired to help formulate Bill 160 said increased classroom funding was needed to improve the education system in Ontario. Bill 160 does not invest money into the classroom, nor does it reinvest savings from other areas in Bill 160. We, as students, must ask ourselves, where is the money going?

Bill 160 also puts the education system in the hands of the education minister, who would control the education

system through regulations. These regulations would only have to be signed by himself and two other cabinet ministers. This would go on with no Legislature discussion, public hearing and without teacher involvement, let alone student involvement. In this the type of procedure that's being used, you would have to think that education is something more important when you consider that it's shaping the youth and future of our fine province. Bill 160 allows Ontario's education system to be subjected to a War Measures Act-type power on a daily basis.

With \$500 million to \$700 million being cut this year, and total power, we the students are left to wonder where the cuts will end and how they institute quality education.

Mr Naccarato: The Ministry of Education has already removed \$600 million from the education system. Their goal is to remove another \$1 billion. This goes against the recommendation of the Education Improvement Commission. It recommends reinvesting back into the system. These are people whom the government hired.

Growth in our system has gone up. More money is needed in the system. More effort must be made to determine what the system needs rather than what it can live without.

This bitter dispute has gone back and forth between teachers fighting for their jobs and rights and the government fighting to save the almighty dollar. I believe it's long over due that some students start fighting to save education for themselves. The true focus of education has shifted in a dramatic way. It's time to start thinking about what is best for the students.

The leaders of our government must stop trying to abolish problems and start solving them. Our school system is being treated as a business. Any time you take money out of a business, the quality of the final product decreases. We as students are the final product.

Without a shadow of a doubt, no one is affected more by Bill 160 than we, the students. This factor has been ignored. We will no longer be the silent party. We refuse to stand by and let our education fade away to a skeletal version of school. But, most of all, we will do what we have to do to let our voices be heard and let the government know that we're not going to take it. Thank you very much.

The Chair: Thank you very much. We only have about 30 seconds per caucus. Mr Smith.

Mr Smith: I guess just a quick question to Jason. I would be interested, because we've had a lot of input from students with respect to increased desire to have comment on issues, how does the Ontario Secondary School Students' Association go about securing your input on policy-related issues? Do they, as the parent organization, contact you? Have you been contacted by them?

Mr Naccarato: There are the meetings and the meetings are open. If we wish to attend, we can.

Mr Smith: So they are in contact with you fairly regularly then?

Mr Naccarato: The suggestions are open, yes.

Mrs McLeod: A quick question. If the government went ahead and cut 50% of secondary school teachers'

prep time, what would happen to extracurricular activities?

Mr Naccarato: If the prep time was moved to at the end of school, a lot of extracurricular activities do occur at the end and a lot of them are managed or coached by school officials. If this happens, they won't be able to supervise us. If the time is moved, a lot of us don't have transportation to go home and come back and therefore a lot of us won't get the opportunities we do right now.

Mr Martin: Thank you for being here all day then and being so attentive to the presentations that were made. As you know, today is a very tense day in terms of the strike that's happening. The teachers are out and you're not in school. What's the general feeling among the students you represent re this strike?

Mr Korab: It's getting out that some people are saying, "Oh, the teachers aren't going to be included in what goes on in the education system in Ontario." People say to me, "Well, what makes you think the government is insincere about what they're trying to do in the education system?" I always say to them, "What makes you think the teachers are insincere about what they want to do to the education system and having their involvement?" I think I speak for the majority of students when I say that students are given every opportunity by teachers. They've never let me down. Throughout student council activities we always need their help and assistance and no student's ever been let down by any teacher at St Mary's College. I've been given every opportunity through enrichment programs, athletics and theatre. I have nothing bad to say about the teachers in Ontario and I stand by them.

The Chair: Thank you very much to all of you for your excellent presentation this afternoon.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION
DISTRICT 31, SUDBURY

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION
SUDBURY SECONDARY

The Chair: Our next presentation is the Ontario Secondary School Teachers' Federation, District 31, Sudbury. Mr Bass, I assume. In any event, please identify yourself for the record when you make your presentation, and proceed.

Mr Joe Meuleman: My name is Joe Meuleman. I am representing Sandy Bass from OSSTF Sudbury, and I'll let my colleague introduce himself.

Mr Roland Muzzatti: My name is Roland Muzzatti. I'm a member of OECTA Sudbury secondary and I'm here representing Nina Stapleton, our president, who was unable to be here today.

The education workers, both teachers and non-teaching support staff whom we represent, welcome this opportunity to appear before this committee to address some of the problems we see with Bill 160. While this bill purports to be about education quality, a reading of it leads us to

believe that it is just a thin disguise to allow the government unlimited control over all aspects of education in Ontario. We contend that this legislation has as its main purpose the establishment of a regime that will allow the government to further strip the education system of Ontario of the personnel and resources it needs to adequately do its job.

Details of specific clauses in the bill and teachers' views on them have been addressed by our respective provincial associations. We support those submissions and will not attempt, in the limited time available to us, to repeat them. Instead, we will deal with our concerns in a more general fashion.

The government would like to give the impression that this bill is, like Bills 136 and 152, designed to address the issues which arise from the massive restructuring of Ontario society that this government has undertaken. Bill 160 is in fact yet another example of an omnibus bill. It tries to deal with at least three separate matters: firstly, those issues that must be addressed due to the reorganization of school boards mandated by Bill 104; secondly, the legislation governing teachers and their rights and responsibilities well beyond the transition period; and thirdly, the control of the detailed day-to-day operation of Ontario schools, again well beyond the transition period.

With new school board structures in place on January 1, 1998, there is a pressing need to address the issues that will ensue. Indeed, this part of the legislation is already overdue. Considering the time required to pass and implement this legislation, it will already leave school boards facing 1998 with a great deal of uncertainty.

In this area, our main concern lies with the lack of any provisions for taxation powers at the local board level. Democratic tradition is supposed to ensure no taxation without representation. The new school boards will now have representation and responsibility without the power to tax. In northern Ontario especially, we greatly fear a system that centralizes all funding decisions. The unique character of the many isolated schools in the north requires very different solutions from those that may work for a densely populated city or county board in the south. Any blanket formula will not be able to address the diversity found in Ontario.

However, the other two areas addressed by this bill are not under the same time constraint, except to the extent that the bill deals with the process of assuming an orderly transition to a first contract for the new employee groups. The main focus of this government and its public relations campaign and the concerns of education workers that have led to the situation we face today are not with these areas of the bill.

1700

Mr Meuleman: According to this government's public stance, the bill, as the title itself states, supposedly deals with education quality improvement. In response to Premier Harris's quoted remarks, we don't trust his government to place the need for quality first. We don't trust a government that campaigned on the slogan of "No cuts to the classroom," yet has already cut funding by almost

\$1 billion. We don't trust a government that has eliminated funding for junior kindergarten, universally recognized as one of the most significant programs for establishing the foundation for a student's educational future. We don't trust a government that has cut the funding in half for the education of anyone unfortunate enough not to be able to graduate by age 21.

The action of this government in the past two years, and its stated goals to further reduce funding for education, tells us that education costs, not quality, will be the primary focus. With that, we very much fear the almost unlimited powers this bill gives the cabinet to control in minute detail the nature of Ontario's classrooms.

Again, how will one central authority, within a very short period of time, adequately establish rules governing classrooms ranging from those in the inner-city high school with several thousand students to those in the small, isolated northern school with fewer than 100 students in a wide range of grades? Teachers, students and parents justifiably fear what we will face in our schools in September 1998.

The matters addressed by Bill 160 in this area — class size, school day, school year, use of non-teachers in the classroom and professional development time — need far more deliberate consideration and must be withdrawn from this legislation and addressed in detail in a cooperative forum involving all stakeholders.

The third area of the act deals with teachers' collective bargaining rights, not just in the period of transition but again well beyond. Both in the matters addressed by the bill and in the areas where it is silent, it gives almost unlimited powers to the Minister of Education and the cabinet. Teachers will be stripped of rights regarded as fundamental for any organized employee group. Both the current legislation, the School Board and Teachers' Collective Negotiations Act and the Labour Relations Act, clearly allow for bargaining of "any term or condition of employment."

This is an area where teachers see no room for compromise. It is at the bargaining table that the issues of teachers' working conditions, which include such things as class size, staffing levels, preparation time and assigned duties, have been and must continue to be addressed. With the exception of the immediate needs to deal with the transition to new school board structures, these matters should be withdrawn from the legislation.

Like the previous omnibus bill presented by this government, Bill 160 deals with far too many matters, in too short a period of time, with far too little real detail. The bill should be limited to those immediate concerns required by the reorganization of the school board structures under Bill 104 and all other issues should be withdrawn and addressed in other, more appropriate venues.

The Chair: Thank you. We have one minute per caucus and we start off with Mr Bartolucci.

Mr Bartolucci: Thank you, Rolly and Joe, for your excellent presentations. Rolly, you spoke at length with regard to taxation and funding in education. Would you agree with the statement that equity cannot be achieved

without adequacy? What will be the effect of a \$667-million withdrawal from education in Ontario?

Mr Muzzatti: That amount withdrawn from education I think would be equal to another \$500 per student being lost. Previous speakers already alluded to the fact about libraries, JK programs, adult education programs, programs for special needs students. If the deductions that have already occurred have affected those programs, imagine, if we were to lose another \$500 per student, what would happen to the programs.

Mr Bartolucci: Would it in effect destroy the system as we have it now?

Mr Muzzatti: If it wouldn't destroy, it would come pretty close.

Mr Wildman: Thank you very much for your presentation and for coming all the way from Sudbury to make it. I know this is a very difficult day for teachers, students and their parents, but could you explain from your standpoint what has led teachers to take the action they've taken today, which many people would say is quite uncharacteristic of the teaching profession? What is the real concern that has led you to take the actions you've taken today?

Mr Meuleman: In a normal process, and I'll use collective bargaining as an example, the parties sit down, the parties discuss, the parties disagree and ultimately either come to a resolution or decide that the differences between them are so irresolvable that they must take further action.

We believe that, first of all, there has not been enough discussion between the government and the other stakeholders, and that includes not only the teachers but certainly the parents' groups — and we've heard some of those today — students and school boards. But the issue has been brought to a head. This legislation, I understand this is the last day of public hearings on this bill —

Mr Wildman: No, there are still two days.

Mr Meuleman: Two more days? My apologies, and I hope they are successful. But we are very close to coming to a point of no return. Teachers have seen very little flexibility, very little room for input and have reached that point, that impasse that I've been involved with in negotiations in Sudbury. We had a very long strike there. Fortunately, it led to successful relations afterwards and hopefully this will be the same.

Mr Beaubien: Thank you for your presentation. Today on two or three different occasions we heard that the government had left the negotiating table. I have a letter from the minister that was sent to Ms Eileen Lennon and it states: "The government's representatives remained at the hotel until late in the evening and four or five stayed the entire night. Although you incorrectly reported otherwise, they were always available to sit down at a moment's notice or at a later date to work out concrete solutions."

Why is it that the federation is insinuating or telling the media that the government left the negotiating table today?

Mr Meuleman: I'm very sorry. I'm not in Toronto. I'm not involved directly with those negotiations. I hope I will hear from my leadership of my organization why they

took the actions they did and I trust them to have done so responsibly, but I can't comment on that specifically.

The Chair: Gentlemen, thank you very much for your presentation.

SUDBURY AND DISTRICT LABOUR COUNCIL

The Chair: Our last but certainly not least presentation is the Sudbury and District Labour Council, John Filo. Welcome, Mr Filo. You've waited a long time for this moment, I assume.

Mr John Filo: Not at all. I just came in on the 4:50 dogsled. I left Sudbury after completing my work today. I drove here and fortunately I made it in time.

I have with me my daughter. Of course we support the teachers, but somebody has to look after our children while the teachers are putting forth what I think is a very valid protest.

I want to thank you, first of all, for coming to the second-best area, northern Toronto, to have these hearings.

Interjection.

Mr Filo: I knew Mr Wildman would get a big kick out of that, and when I say "second-best," I mean just marginally second best.

Interjection.

Mr Filo: I lived in Thunder Bay and I loved it. We think that the north is special. Every time you come up here to have one of these hearings, it really pleases us, because we are different. We've got different problems, problems that I think we can cope with very successfully, but we need cooperation from Toronto.

I'd like to begin my presentation by saying that we in the trade union movement cannot decide which is the most reprehensible, Bill 160 or the tactics employed by the Harris government, indeed by Premier Harris himself, to sell this bill to the citizens of Ontario. Coached by his handlers, Harris has accused the teachers of negotiating larger class sizes. Teachers would never negotiate cutbacks in education. In fact, teachers have demonstrated through their militancy that cutbacks are unacceptable, yet it has been such cutbacks that have led directly to increased class sizes.

1710

To alias as a defender of quality in education marks Mr Harris as the embodiment of hypocrisy, particularly when he and Mr Eves first denied publicly and then subsequently admitted plans to cut an additional \$667 million over and above the \$533 million already cut. Instead of restructuring education with the student and society in mind, we have a Premier whose desire to fulfil a promise to give a tax break to the financially comfortable is the driving force behind Bill 160. Citing dubious statistics, the Premier is attempting to make Ontarians believe that our school system is broken so that he can seize control of it, withdraw \$1 billion from it and cripple it to the degree that it in fact is broken and then privatize the best parts of it. Just as important and apparent is his compulsion to

destroy the teachers' unions, reflecting his visceral hatred of these associations.

Why would anyone give the government such dictatorial powers as Bill 160 would confer? Look at the Tory track record with, for example, the family support plan, boot camps, the social disharmony, even Ontario Works which, compared to the previous government's Jobs Ontario Training, requires the talents of high-priced spin doctors to try to convince the populace of its effectiveness. Look at the numbers. Less than one tenth of those helped by Jobs Ontario Training are involved in Ontario Works, a program, I might add, that's significantly more expensive and that is qualitatively and morally inferior. Should we thus trust and reward such incompetence by giving them the powers in Bill 160?

I'm not even going to mention — I didn't write this in, but there's Ipperwash and there's the way in which OPSEU was treated at Queen's Park. This is a government that says, "Trust me." Hey, give me a break. They're making society turn such a hard right corner that it's going to take us decades to recover from it. Gentlemen, you are going to be footnotes in history the way in which you've irresponsibly handled your mandate.

If education can be improved by cutting \$1 billion, let's cut Mike Harris's budget and that of his cabinet and the government and Wayne Wettlaufer's salary. Let's do that. Let's cut the environment budget, the health care budget, the health and safety agency's budget, the police and fire budgets. I guess I'm too late with that advice. It's already been done. But let me tell you that any reasoning, well-informed individual who believes that this will improve matters also believes in the tooth fairy, the Easter bunny, Santa Claus and the Great Pumpkin.

We don't need a bill that's going to affect students in a negative way because of inadequate funding. Free collective bargaining must be the vehicle that determines the terms and conditions of employment for teachers. That is the norm in the trade union movement, that workers have the right to bargain (a) their hours of work, (b) their salaries and (c) the conditions of work. If you so much as dare to change those things, you're going to have a fight on your hands.

A minister or a Premier or a cabinet cannot handle such a responsibility. It's especially true with this government which does not understand the complexity of our society and the concepts of decency, fair play and accountability.

The minister's regulatory powers to redesignate certain teaching positions as non-teaching positions is a power that cannot be entrusted to such an individual. That money is the driving force behind Bill 160 is demonstrated by the Tories renouncing their own principles that decisions should be made at the level they are implemented and not by big government. School boards must be able to levy taxes to provide educational necessities to the students. Is it required to comment on the use of unqualified teachers in the classroom?

Just because the model employed by the government — and not just your government but every government — in

filling cabinet spots does not require that a cabinet minister have any specialized training in the area of responsibility, can we safely extrapolate this lack of qualification to choosing airline pilots, surgeons, therapists, chiropractors, clerks of committees, lawyers and hockey players?

Other similarly repugnant provisions exist in Bill 160. In addition to those that restrict the scope of bargaining, the concept of seniority must be negotiated and employees of school boards must always be able to seek office with another school board. An employee's spouse must have the right to be a school trustee as enunciated by the Charter of Rights, otherwise we can't have husbands and wives as MPPs or husbands and wives as crown attorneys, for example.

I want to tell you a little story about the teachers' strike in 1980. Your government is always portraying the teachers' unions as being exceptionally strong, as having been able to win for their members conditions that are inappropriate. The Sudbury teachers' strike in 1980 — incorrectly referred to as a strike, was actually a lockout — lasted a record-setting length of time for Ontario, from February 6 to May 6, 1980.

In the assessment of this strike, Professor Peter Hennessy of Queen's University has stated that the cause was the issue of class size. Class size, my friends. He further notes that this would not likely have led to a strike in view of the poor payoffs from recent teacher strikes in Ontario were it not for a relationship of cordial dislike between the trustees and the teachers.

Let me tell you, my friends, that the school board in the Sudbury area — and not just legend has it — has actually been controlled by people of your political stripe. Hennessy also points out that since the teachers were receiving \$30 per day strike pay, while the Inco workers endured 10 months of strike at \$35 a week —

The Chair: Mr Filo, we have one more minute.

Mr Filo: All right. You have the rest of my presentation there in writing. I'd like to handle some questions, particularly from Wayne Wettlaufer, the MPP, if that would please the group.

The Chair: That might be fun, Mr Filo, but we will not have time to do that. If you would like to summarize or give us 30 seconds in conclusion, that would be —

Mr Filo: Withdraw the bill and let's get reasonable. We have a decent, compassionate society. Let's keep it that way. Let's build for the future. Why all these short-term things for the bottom line when in the long term our society is going to suffer and suffer greatly, especially things that affect our children? Thank you.

The Chair: Thank you, Mr Filo, for your presentation here today.

Our hearings are concluded. We are adjourning till 10 o'clock at the Valhalla Inn in Thunder Bay tomorrow morning.

The committee adjourned at 1719.

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Rick Bartolucci (Sudbury L)
Mr Marcel Beaubien (Lambton PC)
Mrs Lyn McLeod (Fort William L)
Mr Bruce Smith (Middlesex PC)
Mr Wayne Wettlaufer (Kitchener PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Mr Tony Martin (Sault Ste Marie ND)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Ted Glenn, research officer, Legislative Research Service

CONTENTS

Monday 27 October 1997

Education Quality Improvement Act, Bill 160, Mr David Johnson /	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, M. David Johnson	J-2633
Mr Bob Jacques.....	J-2639
Ontario English Catholic Teachers' Association, Sault Ste Marie Unit	J-2641
Mr Art Callegari	
Ms Cheryl Fabbro	
Alex Muir Public School Parent Advisory Council.....	J-2642
Ms Leslie Uhlig	
Mrs Leslie Cassidy-Amadio	J-2644
Sault Ste Marie Women Teachers' Association	J-2645
Ms Loretta Harrison	
Community Living Algoma	J-2647
Mr Don Edwards	
Mr Lorne Carter.....	J-2648
Bawating Collegiate and Vocational School.....	J-2650
Mr Vincent Greco	
Mr Howard Whent	J-2651
Ontario English Catholic Teachers' Association, Nipissing Elementary Unit	J-2653
Mrs Anna-Maria Aquino	
Mrs Susan Van Schaayk	
Ontario Secondary School Teachers' Federation, Manitoulin District	J-2654
Mr Jack Mallette	
Manitoulin Women Teachers' Association.....	J-2656
Mrs Wendy Gauthier	
Canadian Union of Public Employees, Ontario Division.....	J-2658
Mr Henry Rowlinson	
Ontario Secondary School Teachers' Federation, District 30 (Algoma)	J-2659
Mr Jim Agnew	
Mr Wayne Jackson	
Mr Geoff Shaw	
Ontario Secondary School Teachers' Federation, Occasional Teachers' Unit, District 30	J-2661
Ms Janet Telford	
Mrs Pat Mick.....	J-2662
Ontario Public School Teachers' Federation, Central Algoma District	J-2664
Mr Andy Jones	
Sault Ste Marie and District Labour Council	J-2666
Mr Dan Lewis	
Ontario Public School Teachers' Federation, Sault Ste Marie District.....	J-2667
Mr Mike Patriquin	
Mr Bill Clarke	
Central Algoma Women Teachers' Association.....	J-2668
Ms Heide Marrato	
Sault Ste Marie District Roman Catholic Separate School Board	J-2670
Ms Karen Fata	

Continued overleaf

Continued from overleaf

Mr Watson Slomke.....	J-2671
Ontario Public School Teachers' Federation, Sudbury District;	
Sudbury Women Teachers' Association	J-2672
Ms Donna Cresswell	
Mr Laurie Rowlandson	
Ontario Secondary School Teachers' Federation, District 40, West Parry Sound Division	J-2674
Mr Bill Webster	
Franco-Ontarian Teachers' Association /	
Association des enseignantes et des enseignants franco-ontariens	J-2675
Mr Paul Charron	
M. Guill Archambeault	
Sault Ste Marie Board of Education	J-2676
Ms Margaret Roch	
Mr Bill Hall	
Local Action Co-ordinating Committee, Ontario Teachers' Federation,	
Michipicoten School Division	J-2678
Mr Terry Switzer	
Mrs Marny Chauvin	
Mrs Jane Laframboise	J-2680
Association des enseignantes et des enseignants franco-ontariens	
élémentaire, Sault Sainte-Marie	J-2681
M ^{me} Hélène Groulx	
United Steelworkers of America, Local 2251	J-2683
Mr Ronald Bouliane	
Miss Sarah Huckson; Mr Jason Naccarato; Mr Peter Korab.....	J-2684
Ontario Secondary School Teachers' Federation, District 31, Sudbury;	
Ontario English Catholic Teachers' Association, Sudbury Secondary.....	J-2686
Mr Joe Meuleman	
Mr Roland Muzzatti	
Sudbury and District Labour Council	J-2688
Mr John Filo	

200
40 41
- 577



J-79

J-79

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Tuesday 28 October 1997

Journal des débats (Hansard)

Mardi 28 octobre 1997

Standing committee on administration of justice

Education Quality
Improvement Act, 1997

Comité permanent de l'administration de la justice

Loi de 1997 sur l'amélioration
de la qualité de l'éducation

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICE

Tuesday 28 October 1997

*The committee met at 1000 in the Valhalla Inn,
Thunder Bay.*EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size /
Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good morning, ladies and gentlemen and members of the committee. I am convening the hearings of the standing committee on administration of justice, consideration of Bill 160, the Education Quality Improvement Act, 1997. My name is Gerry Martiniuk and I chair this committee.

We have a long day today. I think all of the submissions are for 10 minutes only, which is a very short period of time. If I have to interrupt at the end of 10 minutes to protect those speakers behind that speaker, you will understand.

Mrs Lyn McLeod (Fort William): I have just a couple of things. You will know that there is one presentation, I believe, that is a half-hour presentation. I thought it was worth an explanation that that's the Ontario Federation of Home and School Associations, which was on the minister's list of those who would be able to present for half an hour. It happens that the provincial president of the home and school federations is from Thunder Bay and will be making a presentation here today. That's why she will have half an hour while the other presentations are 10 minutes.

If I may, as well, I believe as of this morning there are still three unfilled speaking slots. It has been the precedent of our committee that if there are vacancies in those slots and if there are people present at the hearings who had

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

COMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Mardi 28 octobre 1997

requested to speak, through the process of calling the clerk's office, they would be allowed to fill those vacant spots. Would it be with the committee's agreement that we continue with that precedent?

The Chair: I think that is carrying on. Would you provide the name and address to the clerk. If there are more than three, we will have to make a decision, but otherwise there are three spots available right now.

Mrs McLeod: You will be relieved to know I have no motion to place.

The Chair: Thank you very much, Mrs McLeod. Are there any other preliminary matters at this time?

ONTARIO FEDERATION OF HOME
AND SCHOOL ASSOCIATIONS INC

The Chair: If not, let's proceed quickly to the Ontario Federation of Home and School Associations Inc, Pat Johansen, president. Good morning. As you take part in the presentation, you have one half-hour. I would ask you to identify yourselves, if you're going to speak, for purposes of the record.

Ms Pat Johansen: Good morning. I would like to thank the Chair and the members looking at Bill 160, the Education Quality Improvement Act, 1997. My name is Pat Johansen. I am the federation president, and I would like to note that I am the first president elected from northwestern Ontario in the history of OFHSA.

I have with me this morning, just for moral support, local people. We have Anne Mettam at council level and Linda Lahdekorpi, who is one of the board of directors at the federation and represents region A. I have my two sons sitting with me just to remind me who Bill 160 will affect.

I am not going to read everything because you have been given copies. Be kind when you question me, please.

An overview: The Ontario Federation of Home and School Associations has been actively promoting parent involvement in the school, the community and the province since 1916. OFHSA is a non-profit, volunteer organization, parent-initiated and parent-driven. Our membership is throughout this province. Our only vested interest is our children and their education. Members pay a yearly fee, and a current list is maintained at the OFHSA office in Toronto.

This brief is based on policies adopted by delegates at annual meetings and comes with the authority of those members. Through study, participation and the provision

of parent education programs, we support active partnerships between parents, educators and legislators. Our purpose is to work towards the best for each student.

The most significant feature of the Education Quality Improvement Act is the transfer of authority and decision-making power from school boards to the province. Numerous areas currently subject to the collective bargaining process or to decision-making by local trustees will become the right of the Minister of Education and Training to determine.

The Ontario Federation of Home and School Associations supports local decision-making. Local representation through local boards of education is essential to ensure effective, ongoing access for parents to decision-making in education. Parents have greater opportunity for consulting in the development of education policy and content at the local level. The centralization of authority runs counter to the commitment to ongoing consultation with parents.

This commitment was referred to many times by the former Minister of Education and Training. A reference in the act to mandating school councils in each school doesn't ensure that the voice of parents will be heard in the development of curriculum and policy matters, which now rest in the hands of the education minister.

Ontario is a province of diversity. Local decision-making allows communities to reflect and address their unique needs and strengths in the education of their children. The provincial government is a further step removed from the focus of education: the student.

We support the minister continuing in his role of overseer to ensure an equitable education for all students across the province.

We acknowledge that the minister should continue to determine the number of required instructional days per year. We support the provision in section 7, the new clauses 11(7)(b) and (c), which allows boards some flexibility to determine specific dates to best meet the needs of their communities. We trust that this provision will allow consultation between the boards, the minister, ratepayers and employees.

We continue to express concern with the powers and duties of the Education Improvement Commission. This is a body of ministry-appointed individuals who are given wide-ranging authority in education matters, including disposition of assets and transfer of employees. We object to appointed people having such authority over democratically elected school boards. Members of the taxpaying public have had no input to the establishment, membership or function of the Education Improvement Commission.

We've got responses to school boards and funding which you can read, but because of what is going on, I would like to read what we've got to say about teachers.

OFHSA members believe that teachers in the classroom require a high level of education. In 1971, members showed progressive thinking in calling for teachers to hold a minimum three-year bachelor degree or equivalent in education for elementary school non-specialized teachers.

In 1972, OFHSA adopted the policy that there should be a revised curriculum for teachers' colleges and univer-

sity faculties of education to include techniques for handling large classes of students — we didn't realize that would become as important as it seems to be — and methods effectively using lay readers, teacher assistants, trained volunteers, older students etc in order to increase student contact with the teacher. These additions, however, should not replace the teacher in the classroom but supplement the program. OFHSA supported the establishment of the Ontario College of Teachers and its responsibility for ensuring that teachers continue with professional development throughout their careers.

The faces of students have continued to evolve. The 15 years since the introduction of Bill 82 have seen greater numbers of children with special needs entering into our public system. Many of these children are identified through a formal process while others, often due to parental sensitivities, are identified only informally by education professionals in the school.

1010

There are more children exhibiting conduct disorders and increasing numbers presenting learning disabilities. It does little good to debate the whys of the situation. We must simply acknowledge that this is the situation which exists and which teachers must address. Individuals leading classrooms must have greater preparedness to meet the needs of these students and the needs of the classmates with whom they interact.

These children are in all of our classes, whether they be art, history, music, computer tech, physical education etc. An accomplished musician, artist or technician may be fully qualified to talk about his or her understanding. It does not follow, however, that he or she understands how to teach or how to address the individual learning needs of students. We believe that students have the right to be instructed by qualified teachers. A teacher teaches students, not subjects.

I'm probably going to leave too much time for questions, but I'm going to go to the section entitled "Other."

OFHSA supports the establishment of Ontario education numbers for our students. This move will assist administrators and ensure that student records are well maintained and quickly transferred in the event of a move. It is hoped that the increased communication will allow a seamless provision of educational services to students. We also support the various provisions for privacy as outlined in the Education Quality Improvement Act.

We support the amendment of the act through the addition of section 35, section 16 of the bill, re the resident pupil's right to attend a more accessible elementary school.

We are unclear as to the implications of the repeal of section 50 of the Education Act, section 27 of the bill, re religious instruction. Does this intend that no religious instruction may take place in public and secondary schools? Does this override the rights of a parent and a local school board where such instruction has been endorsed by the electorate?

We support the continued recognition of home and school councils and the continued provision for school

boards to appoint representatives to these where requested.

In summary, we, the 18,000 members of the Ontario Federation of Home and School Associations, are committed to equitable education across the province. We support decision-making at the local level to ensure effective, ongoing access of parents to the decision-making in education.

Members of OFHSA have always been supportive of a move to smaller class sizes. We uphold the importance of the student-teacher relationship and the value of time spent developing the above through classroom instruction and extracurricular contact. We do not believe, however, that Bill 160 clearly addresses these values. As it stands, Bill 160 leaves too many questions unanswered, yet it is clear that reforms are needed.

We, as a federation, recommend the following — and I won't be popular:

- (1) That there be one publicly funded system.
- (2) That the authority and decision-making power remain with the local school boards to allow for the opportunity for community input.
- (3) That the powers given to the ministry-appointed Education Improvement Commission be revoked, since these powers belong in the hands of the democratically elected representatives such as school board trustees.
- (4) That there be continued ministry responsibility for funding through the legislative grant process.
- (5) That there be equitable education across the province and that the role of the minister be to act as overseer to ensure this.
- (6) That funds distributed to school boards — public, separate or French — reflect the percentage of students who are educated in that system.
- (7) That there be no alteration in the present system of funding by pooling commercial and industrial taxes.
- (8) That the minister reveal his funding formula before any further action on this bill or the introduction of any further reform.
- (9) That funds saved through these and other educational reforms be reinvested in the classroom for the direct benefit of students.
- (10) That the practice of allowing boards to have flexibility over exact placement of instructional days, exam days and holidays be continued, and that the minister be supportive of school boards in the granting of requests for special changes to meet the needs of their communities. An example would be the announcement here locally two weeks ago of Giardia in the water. That might be a special circumstance.
- (11) That the pupil loading factor of 35 be reduced to 30.
- (12) That the practice of collective bargaining between school boards and employee groups continue.
- (13) That the involvement of non-certified experts in the classroom be in partnership with and under the direction of certified, experienced teachers.
- (14) That the government develop defined criteria for the employment of such experts. These criteria should

include a code of ethics, role description, evaluation and a chain of accountability.

(15) That there be compulsory, uniform testing of students for the purpose of evaluation and identifying and addressing student needs.

(16) That there be involvement of parents through the continued relationship between school boards and home and school councils.

(17) That there be increased opportunities for parent involvement in decision-making at the provincial level through participation and appointment to ministry committees. This participation must not be limited to members of the Ontario Parent Council.

(18) That the act clearly state the definition of "quality education," with research to support this definition.

(19) That the act clearly state the criteria it will use to evaluate the successful education reforms in creating quality education.

In conclusion, the Ontario Federation of Home and School Associations believes strongly in parental participation at all levels of public education. We believe that parents have a valuable and unique perspective which is a necessary inclusion in any discussion of education policy-making and reform.

The purpose of any reform or education restructuring must be to improve the learning experience of students. Like the ministry and educators across the province, the Ontario Federation of Home and School Associations is committed to high quality education for the students of Ontario. We petition you to make the necessary changes to Bill 160 to reflect this commitment and to ensure the best for each student. Thank you.

The Chair: We have five minutes per caucus and we'll start with the government caucus.

Mr Bruce Smith (Middlesex): Thank you for your presentation this morning. It was certainly very informative and very thorough. You have a great deal of comment around the role of parental involvement, which we of course second. We've had a lot of input from parent groups across the province in terms of the role of parents and where their comfort level is, some suggesting that we should remove the advisory aspect. School boards have suggested you can't mandate or legislate volunteerism.

I'd like to get from you this morning — I know you've highlighted it a little bit — your level of comfort, where you feel your decision-making should lie and the type of decision you feel comfortable making as a parent in the school community.

Ms Johansen: I'll try not to be personal. I'm representing a number of parents, so I'll try to give you a broad idea. Number one, we, as a federation, do not believe that you can legislate parental involvement. That has to be something the parent wants to do. I think you might have seen that now across the province with the introduction of parent councils or the law that states that you have to have a parent council in every school. Not everyone is comfortable with that and being part of that.

We in the federation have a number of different roles. I've become, not necessarily because I wanted to, very

politically active, but you have parents who want to come in and they're just happy to come into the classroom. They don't want to be advising the school. I don't know if that answers your question.

1020

The advisory council, I guess there are certainly people who would like to do that, but my concern with that is you're only getting so many people at that level. If they haven't got a way of inputting or questioning the rest of the school, then it's just a handful of parents who are giving that advice. With our federation, we try to ensure that everybody's opinion is asked for and given. I don't know, did I answer you?

Mr Smith: Yes. Thank you very much. That's the feedback we're looking for. Were you consulted by the Education Improvement Commission?

Ms Johansen: Yes, we were.

Mr Smith: Could you share with me your experience of that consultation process?

Ms Johansen: First of all, we translated it. Before it came out and we translated it, yes, we did make a submission. Our name is not on it. It was not a verbal communication because of distance and the time limits on it. We have had input into it. Once it came out, we translated it and that's now what we're presenting to you.

Mr Smith: What sort of time frame were you given to respond? Do you recall?

Ms Johansen: I don't believe it was more than two weeks, and we're a provincial organization. It was a lot of writing back and forth in that. When you're looking at the entire province, those time lines are just unrealistic.

It came through on computers, but if you're expecting every parent in the province to be able to have access to it, not every parent has a computer. Once this did come out, one of the members tried downloading it, first of all. The way it was formatted through the computer was unique, so when we did get a hard copy of it, we shuffled back and forth with those who have computers. I'm computer illiterate, so I had to do it with the fax machine. We put together what you see here.

Mrs McLeod: Thank you, Pat, and don't apologize for leaving time for questions. With the rest of the day with 10-minute slots, we'll be lucky if we get another question. So this is a welcomed opportunity to pursue some of the issues you've raised just a little bit more.

There are a couple of things that you presented that I just wanted to express my appreciation for and one is the emphasis you've put on local accountability and local decision-making. I know there's been some attempt to portray the current confrontation as a power struggle between unions and union leaders and government, when in fact if the government takes as much control that this bill gives it, it's not just teachers who are being shut out of the process, it's also local school boards and parents and students and the general public.

You touched on the concerns you have with the role of the EIC. In fact, as you know, it has been given an expanded role and a longer duration under this bill, so I appreciate that.

I appreciate the strength of your statements around the use of non-certified teachers to head up the classroom. That is certainly the intent of Bill 160, because if experts were working along with the qualified teachers, we know that happens already. The bill is intended to provide a replacement for qualified teachers.

Of the two that you touched on that I want to come back to, one is your statement that the funds saved through these and other educational reforms be reinvested in classrooms and that the minister reveal his funding formula before any further action on this bill, which is a request we've been making over and over again. It is a request that has been made of this committee through repeated presentations and it seems to me like a pretty reasonable request to make of the government.

That brings me to the quality education and the part of the brief that you skipped reading. The concerns here for funding also relate to quality. Bill 160 isn't about curriculum. I think we all support and actually would compliment the government on having brought about some positive changes in curriculum at the elementary level and potentially at the secondary level. They have brought in testing which, while people may ask some questions about the specifics of it, they feel it is a move in the right direction. But Bill 160 is about some other things. One of the things is class size and that's what I want to ask you about.

The government is going to be able to control class size with this bill. They want people to believe it's about smaller class sizes, because people want smaller sizes. We've got a government that has said categorically there will be no funding for 25,000 new students a year that are coming into the system and a government that says that, at a minimum, this bill could lead to the loss of 7,500 teachers. Furthermore, we now have evidence that it is planning to take \$700 million more out of the system. How do you get smaller class sizes with 25,000 more students a year, thousands fewer teachers and \$700 million less money?

Mr Bud Wildman (Algoma): It's new math.

Ms Johansen: Definitely. My daughter is not really very good in math. She might be able to figure that one out.

I skipped over that and that probably was a point that we should raise, but we have a motion on our books that we want a maximum 35 — I'll read it. It says, "That the ministry guidelines for pupil loading be lowered from the present 35." That means right now — I'll get personal, and please forgive me for doing that. I have a son in grade 7 who has 38 students in his class. That does not promote effective learning. We want to go from the present maximum of 35 students to a maximum of 30 pupils without lessening classroom areas for the building of regular elementary school accommodations. Number one, with 38 in the classroom, the school was not built to those standards, so it's not effective learning, it's not safe. My son's missed a lot of school through sickness. Again, I'm being personal, sorry. I don't know how they figure they can take that amount of money out. What kind of class sizes

are we going to have? We are concerned that they haven't given us any kind of model.

Mr Michael Gravelle (Port Arthur): Good morning, Pat. Thank you very much for your presentation. Let me follow up just a bit in terms of the funding cuts. You talk about the discussion of a further cut to the education system. That no longer is a discussion. It's been confirmed, obviously, by the Premier. We know it was confirmed in the performance contract of Veronica Lacey, the deputy minister. Obviously that's the plan of the government. That's a very significant part of Bill 160, which I think needs to be better known.

You make reference to the fact that cuts already put forward by the government, I guess of some \$532 million, have had a real impact on classrooms. Again, the government committed that the cuts would have no effect on the classroom; we know differently. I think it would be useful, and feel free to be personal, to tell the members of this committee what impact those cuts have had and if you can imagine what the further cuts that are clearly part of the government's intention will have on the classroom education for the students.

Ms Johansen: The cuts that have occurred already have affected classes — they are larger. With this particular board and probably with boards across the province, we've already seen a cut to special education programs. They are trying new models. I'm very concerned because I have a child with a special need. What is going to happen to them? What is going to happen to the rest of the special needs children? With increasing sizes, you're going to get more in those classes than are already there. I'm very concerned what kind of quality we are going to get for any of the students in a class.

Mr Gravelle: What about the resources in the classroom?

Ms Johansen: Right now I think it's a pretty sad statement for education, personally. Schools are out funding for things in the school that they are allowed to; as you know, you cannot purchase textbooks. Parents are out doing the gambling thing — pull-tabs, bingos. That's pretty sad. Sorry, I apologize to the other members.

Mr Wildman: Thank you very much for your presentation and congratulations on being the first representative from northwestern Ontario in your position. Also, thank you for arranging the weather we've got here in Thunder Bay.

Your presentation was quite comprehensive and I appreciate it, but I'd like to hone in on a couple of important issues that you raised. First, you talk about the need for local control and local involvement of parents, school boards and teachers. Bill 160 centralizes control in the hands of the minister and in the cabinet with the regulatory power to control class size, organize schools, school days, the school year and so on. What problems do you see with that? If the government feels that it wants to improve the quality of education — that's what this bill is called — and it doesn't think that it should be different from one part of the province to another, why shouldn't it

be concentrated at Queen's Park in the hands of the minister?

Ms Johansen: This is such a large province, as you know from travelling. There are different issues in different areas. We don't necessarily have the same concerns here in the north that you might have in Metro Toronto. Just the distance here in Thunder Bay is one factor.

1030

Mr Wildman: We might not even have the same interests in Algoma that you have in the northwest.

Ms Johansen: Exactly. Just the weather alone; do we have to phone down to Toronto if there is a storm like we've had to find out whether we are going to close the school or not? Just little things like that. I don't know how they could expect to be able to put one stamp fits all throughout the whole province.

Mr Wildman: You also refer on the last page of your presentation to the Ontario Parent Council. You say there must be an involvement of parents in decision-making at the provincial level as well as locally: "This participation must not be limited to members of the Ontario Parent Council."

On Bill 104 we heard presentations from many, many groups like yours and other parent councils and parent groups. They were unanimous in their opposition to Bill 104, the Fewer School Boards Act, except for the Ontario Parent Council, which was supportive.

Ms Johansen: Gee, I wonder why.

Mr Wildman: Can you explain this? Who does the Ontario Parent Council represent, in your view?

Ms Johansen: It represents 18 people who are picked by the ministry to represent 18 people's views. They do not represent my views necessarily. I'm not asked for my input to anything on the parent council.

Mr Wildman: I'd like to go to one other issue that is really central to this whole controversy around Bill 160. I know that you represent a large number of parents in the province. Basically, what you are saying is that the minister should reveal his funding formula before further action is taken on this bill. You're also saying that the funds saved through whatever restructuring should be reinvested in the classrooms. Are you saying all the funds should be reinvested, or should they be allowed to take a further \$700 million out, over and above the \$500 million?

Ms Johansen: No, I don't believe they should be allowed to take that. That's the view of the members.

Mr Wildman: On your section on funding in your paper, which you didn't read because you wanted to cover some of the others, you say that without the funding formula, "without that vital piece of the puzzle it is impossible to assess the value of any proposed change." And then, the assurances that money will be reinvested in the classroom "must be supported by a specific funding model which has been vetted through all stakeholders in public education. We are concerned about discussion indicating a further cut of \$1 billion from the education purse. This is unsupportable."

Then it says your members support the recommendation of the EIC that any savings realized through education reform be reinvested in the classroom.

What you're saying here is that you can't really assess Bill 160 and its impact on students' education unless we know how much money the government is going to put into education and how that figure is arrived at.

Ms Johansen: Exactly. That's like me trying to build a household budget when I don't know what the dollars are going to be, I don't know how much I'm getting. If they're taking that much money out of the system, will there be any money to reinvest in the system?

Mr Wildman: I like your analogy. Another analogy that's been raised before the committee was by a business person who said this was like expecting a business person to approve a business plan on a new venture without knowing what the revenues and expenditures would be.

Ms Johansen: Exactly.

Mr Wildman: It doesn't make a lot of sense. Finally, I'd like to go to one other issue you raise, which is central to the controversy that has led to this disruption in the education of our kids, and that is the question of experts in the classroom. Initially it was indicated, and it still is in the bill, that so-called experts could be brought in and replace certified teachers. Now the government is saying no, it never intended that they be replaced but rather they just supplement, which of course already happens. You don't need anything in a bill to do that.

My concern though is, in either case, if we're bringing a lot of people in at a time when we are really looking at the qualifications of teachers through the College of Teachers, how do we assess the qualifications and suitability of outside experts?

Ms Johansen: That's one of our concerns.

Mr Wildman: I don't want to be too dramatic about this, but obviously we have to be concerned about the safety of our kids. We do not want people to come into the classrooms who — let's look at it this way. In other areas, such as hockey, we are now realizing that there is a small minority of people who are using their expertise to take advantage of kids, and we don't want that to happen in our education system.

The Chair: Sorry, we've run a couple of minutes over. I thank you very much for your presentation here this morning.

I apologize to the committee. I neglected to recognize Frank Miclash, member for Kenora; Michael Gravelle, member for Port Arthur; and of course we are in the riding of Lyn McLeod, who has been with us throughout these hearings. I understand that this city is the second most beautiful city in northern Ontario.

Mrs McLeod: Based upon our week's experience, it is also the sunniest and warmest city in the province.

The Chair: The committee thanks you for arranging this wonderful welcome and the weather. On behalf of the committee, I can tell the audience how pleased the committee is to be in this fair city.

RITA UBRIACO

The Chair: Our next presenter is Rita Ubriaco.

Miss Rita Ubriaco: Thank you, members of the committee. I have a brief that I can't read in 10 minutes, so I will skip over some of the parts. The reason that I've been presenting briefs for about 15 years is my motivation for being here today. My property tax bill for the current year is \$918. The child I love most in the world, who is very bright and has spent six years in the Ontario system, cannot read, write or do math. That's where I come from.

I'm skipping over page 1, except to say that, under the Constitution, the government has the right to make laws. The people's recourse, of course, is to change the government.

Skipping to page 2, the things I have against Bill 160 are here. Early in the most recent education debate somebody said that you can't leap over a chasm a little at a time. Imagine my shock and dismay to find that Bill 160 takes some mighty half-leaps, and some of them backwards.

The Fair Tax Commission is only the latest of many to recommend that education be removed from property tax. Education has nothing to do with property. It's regressive to have education on property tax. After promising that they'd take education off the property tax, we have a real dog's breakfast. I don't know who's going to figure out the tax bill. I understand I'm still going to get a tax bill for education on my property and I find that most unfortunate and a real flaw in Bill 160.

I'll address the question of local autonomy later.

On page 3, under "Bill 160 — Pro," I have a little request to my union friends. Depending on one's point of view, Premier Harris was either monumentally stupid or monumentally honest to admit that he would not reinvest the waste eliminated from the education system in the classroom. Teachers' unions should be just as honest in admitting that prep time, class size and a closed shop have been strategies to keep teacher jobs in the face of declining enrolment. I think we need that honesty. Manipulating class size and prep time during school hours can add 10% to 20% more teachers to the payroll. I am not at this point saying that you should or should not do it; I'm just saying please let's be honest that that's one of the things that happens, in those calculations.

1040

The fundamental flaw in the education empire that causes all the other flaws is the belief promulgated by the faculties of education that methods, not knowledge, are important. Despite contract provisions to the contrary, teachers often teach outside their areas of expertise in high schools. In the elementary schools, the preparation of the teacher may be a degree in phys ed, and she teaches English, music — you name it, she teaches it — because she has a certificate. In the high schools, English is the subject most often misassigned. A teacher of phys ed, shop or home economics with an open space in his timetable is allowed to teach a class of English because he has a certificate in methods.

In a recent public commentary, I illustrated the idiocy of preferring certification over knowledge by saying that in Ontario Wayne Gretzky wouldn't be allowed to teach hockey. In reply, one of the most militant union demagogues said that Gretzky would not know how to impart his knowledge. She proved my point by refusing to see it.

The difficult notion that some persons may be better qualified in some situations than certified teachers is nowhere better illustrated than in the area of computers. The ministry has been notorious for introducing new curriculum before anybody is trained to teach it. As a result, when computers came in, the certified teacher of typing, math or whatever went off to take a summer course in methods and came back to teach. The result of that is that in many senior elementary school classrooms the teacher is the least computer literate person in the room. How much better for the kids if computer whizzes taught computer skills.

Can Bill 160 be fixed? Changes that can be made to make the necessary sections on prep time and opening the closed shop fairer to teachers follow. Teachers and the ministry must accept as a given that prep time and class size are mechanisms to manipulate the number of teachers. Together they must arrive at an absolute minimum and absolute maximum class size number. The home and school people have suggested 30 as a maximum. I think that's pretty fair. Then teachers within each jurisdiction should be allowed to negotiate which of the two variables they prefer. Teachers with no marking or preparation load should have the least prep time and the biggest classes, and those with the biggest loads should have the most prep time and the smallest classes. Nowhere should school-hours prep time exceed 10%, and PA days should be on Saturday or after 3:30.

Teachers and the ministry alike must accept that the primary qualification for teaching a subject is demonstrated knowledge of and love for that subject. Grammatical use of the English language is the next requirement. Where certified and uncertified teachers possess these two basic requirements virtually equally, preference should be given to the certified teacher. The uncertified teacher, on a letter of permission — and this mechanism has existed for a million years — shall pay dues to the relevant union and take summer courses in methodology to become certified. Where a whole subgroup is involved, for example early childhood education diploma holders for kindergarten, the subgroup should be a separate bargaining unit.

Many teachers complaining about my public comments mentioned the extra stress placed upon them by integrating special needs kids into the classroom. Asked why they didn't complain, they said they didn't want to look bad. In any formula for class size, it is absolutely imperative that where any special needs child is in a classroom, there must be a monitor to help that child. Where there is more than one special needs child, the number of monitors must be increased.

The best treatment of Bill 160: With the improvements outlined above, specify that it is an interim measure for the

coming three-year board term. These three years must be used to develop and establish real reforms.

Abolish all boards of education in favour of school-based councils; that's where you get real local autonomy. You can't have both of them, because if they disagree, who wins? If one wins all the time, what's the point of the other?

The province should establish province-wide standards and province-wide bargaining for teachers. It should fund teachers' salaries and teaching materials from provincial revenues, not the property tax. School buildings, their maintenance, non-teaching staff and their substitutes, and buses should be funded from municipal property tax collected and spent by city councils. The question of whom do you call when there's a snow storm is quite clear. The local building is in the jurisdiction locally.

Funding for teachers should be linked to performance. If your kids pass the provincial exams, the province pays your teachers, whether you're in a religious school, an art school, a Hall-Dennis playpen or a home-school situation.

Laughter.

Mr Wildman: Just teach for the test.

Miss Ubriaco: Oh, I always hear that about teaching to the test. How many 16-year-olds do you know who study for the test very happily when they want to get a driver's licence?

This gives you one system, not the kind of thing that says, "Let's cut the Catholic school funding." This gives you one system. Everybody passes the same exams. If you are at the Christian reform school and your kids pass the test, you get money for your teachers. I'm not saying that every child has to pass every test; of course that would be understood by everybody except those who laughed back there.

The first year of the interim mandate should be used to ask all parents what kind of school they want for their kids. Personal interviews as well as questionnaires should be used. At the end of the process, if 50% of the parents want status quo schools, 50% of the classrooms available should be assigned to them. If 5% of the parents want denominational religious schools with strict discipline and dress codes, 5% of the classrooms should be assigned to them.

The Chair: Excuse me. Our time has elapsed. The 10 minutes is up.

Miss Ubriaco: With respect, may I please read the final page?

The Chair: If I do that, then I must do that for everyone, and we are going to run overtime and some people may not be reached. That's the difficulty. As I explained at the beginning, 10 minutes is really not a large amount of time. We just cannot go over the 10 minutes.

Miss Ubriaco: I'm sorry. I wish you wouldn't allow political speeches by the members, then.

LAKEHEAD WOMEN TEACHERS' ASSOCIATION

The Chair: The Lakehead Women Teachers' Association. While they are coming up to the table, may I just amend the schedule some of you may have. Our 4:20, the Thunder Bay and District Labour Council, will now be heard at 3:30, at their request. The new presenters will be Don Cattani, OECTA secondary, who will be heard at 4 pm; Sue Smith will be heard at 4:20 pm; and Don Watson will be heard at 4:30.

Welcome, Ms High. Please identify yourself for the purpose of the record and proceed with your 10-minute presentation.

Ms Carolyn High: My name is Carolyn High, and I'm the president of the Lakehead Women Teachers' Association.

The Lakehead Women Teachers' Association represents 470 women who teach in the public elementary system in Thunder Bay. I'd like to say that we have a proud history of demonstrating leadership in educational changes, professional development, promotion of women's issues and the protection of worker rights. One of the priorities of the Lakehead Women Teachers' Association is to promote a positive learning environment for our children; an environment that enables our children to meet their full potential and an environment that provides the necessary programs and supports for our children to compete in the global economy.

1050

We are not averse to changes if these changes have a positive impact on our children in our classrooms. We believe that a lot of the things that are in Bill 160 put at risk children in the classroom as far as the integrity of our working and learning conditions is concerned. A number of our concerns are centred around the following things: the actual development of Bill 160; the redistribution of the decision-making; the regulatory powers of the minister; the working and learning conditions; and the integrity of local collective bargaining.

The provincial government has initiated numerous changes in the past two years, and we can name them: amalgamation of boards, the College of Teachers, a new curriculum, provincial report cards. I can go on and on. Because of the overwhelming amount of information that is going out to the public in such a very short time, it's very confusing for people to get a full grasp of how important this bill is and how it's actually going to affect education for years to come in this province.

It seems like a lot of the rationale behind Bill 160 is that what we are presently doing is not working, that we spend too much money on education, that the education system is inefficient and that teacher organizations are impeding change. I would like to say that a lot of what we're reading in the media and through public announcements and so on in the last little while all seems to be based on negative statements that are based on limited research and misleading statistics. We have not been looking at the positives of what our children are

doing, such as that we have one of the highest graduation rates; that we have a high rate of students who are actually attending post-secondary institutions; that we have done very well indeed in international testing when it comes to things like the Third International Mathematics and Science Study; that Ontario's ranking in North America per pupil expenditure has actually fallen to 49th place since 1991-92, when we were at 13th place; and that recent Environics polls have indicated that 90% of the people want to have present funding maintained and even increased. We believe that Bill 160 gives the tools that people need to actually do a lot of cutting in the education system, and we're very worried about that.

As far as redistribution of power, Bill 160 destroys the ability of local stakeholders and elected trustees to respond to the education needs of children in their communities. This bill allows the provincial government to regulate every aspect of what school boards do. There will be no local control over their budgets, over their buildings, over their staff. The minister will be able to transfer schools to other boards and even to take over the administration of a school board if that board is perceived as mismanaging, and that's not even defined.

The provincial government will have complete control over rates of taxation and control over revenues and expenditures for our community. This government believes that locally elected officials on school boards have acted irresponsibly. I assume that's the rationale behind this. In fact in our community they have been very responsible. In recent years, \$4 million has been taken out of the system. There has been a reduction in administrators and teachers of 5%. There has been amalgamation of schools and closures of schools. There have been coterminous arrangements made for cheaper transportation costs and reduction in programming. We're already lean and mean. We do not need any more reductions in what we're doing.

We are afraid we're going to lose our regional equity with Bill 160. We're a large geographical area. We have extra costs. In fact, the cost of education in the north is probably about 25% higher than other areas, due to our location. It seems that this bill says that one shoe fits all and that Thunder Bay will be faced with equity of resource problems and our trustees and teachers will have no tools whatsoever to address the public's concerns.

The other area I'd like to talk about is the regulatory powers. Bill 160 moves many decisions on learning conditions from the local communities and places them under the minister and the cabinet. By doing so, this government undermines public debate, the role of elected politicians and the actual essence of what democracy is all about. Regulations will only be revealed after the fact. There is no process here for input. These decisions will be made in isolation from the realities of what is actually going on in our classrooms. The idea of what kinds of decisions will be made — for example, what has just occurred with the discussions over not reinvesting money in education. It was finally revealed, with respect to the personal contract of the deputy minister, that there actually are plans to take a large amount of money out of our system. We see this

bill as the means of doing that. So right now we're saying we want more checks and balances within our system so that we don't starve our education system to the point that we will reach that crisis that has been talked about so frequently lately.

In fact the regulatory powers — and I really want to focus on this, are the most appalling aspect of this bill. This bill allows the regulations to override the Education Act when they're in conflict. This is a King Henry VIII clause that is something the Canadian public has not witnessed since the birth of democracy in Canada. The only time such powers have been initiated in my recent memory was the War Measures Act after the October crisis in Quebec in 1970. Even then, it was discussed afterwards whether or not this actually should have been used, and yet we are allowing powers that are of the same magnitude as that.

There have been many discussions, and just within the last few seconds, about learning and working conditions. I want to make it very clear that those are being set — it's the process that's in place, with the checks and balances, that preserves the right of our children to have a good education. To simply discuss this in relation to class size or prep time or whatever is really irrelevant; it is the process for determining what is needed so their needs are actually met. I would like to talk about it a little bit.

Since 1975, when teachers were actually allowed to negotiate for learning conditions, the quality of education for our children has improved a lot. We've had reduction of class size; we've had early childhood education being a focus in this province; we've had teacher training so that we can stay on top of what is actually going on and what is needed to do a good job; we've had the integration of special kids and a recognition that kids have individual needs.

When I started teaching back in 1970, I had class sizes of about 40 or so. This is not something we want for our children. We have bargained for class sizes that are adequate. In fact, in 1986 and 1987, FWTAO conducted a campaign to lobby for smaller class sizes in the primary grades that actually led to provincial funding grants for keeping the class sizes in those grades to 20 or 21. This government is just about to take away that public funding, and these class sizes are now going to start soaring too.

The Chair: There's one minute left.

Ms High: I also want to make time here for teacher qualifications, because this is a really important area. Bill 160 does not define what a teacher is. Therefore, any position could be deemed a non-teaching position. Because this area will be under regulatory controls, a position could require a qualified teacher one week and be deemed a non-qualified teacher's position the next. That's unacceptable. It could also vary from board to board because there would not be firm standards for establishing qualifications for a given position.

It is ironic that the present government, which established the College of Teachers, wants to remove teachers from the classroom. There is no point in setting even higher professional standards for teachers and then giving

teachers' positions away to those who do not meet those standards. How can parents and communities ensure that their children receive the best instruction possible without standards or tracking of what is going on?

1100

Our classrooms need teachers who have the expertise in content, in classroom management, in monitoring student progress, in dealing with special needs students; for example, if a class has an autistic child in it. It is our teachers who know what the essential stages of child development are all about and the social and learning needs of children.

I'd like to thank the committee for hearing me and I'd like to really focus on those three main points: local control, decertification and also the regulatory powers.

The Chair: Thank you very much, Ms High.

CANADIAN UNION OF PUBLIC EMPLOYEES, THUNDER BAY

The Chair: Our next presentation is CUPE, Thunder Bay. Good morning.

Mr Jules Tupker: Good morning. My name is Jules Tupker. I'm national representative for the Canadian Union of Public Employees. With me is Shirley Marino, who is the president of Local 2486, the local that represents the custodial staff in the Lakehead public school board.

I would like to thank you for the opportunity to speak to you today. However, I temper my thanks with a feeling of frustration at having to be thankful to a group of democratically elected people who are behaving like a bunch of school yard bullies offering some underlings a chance to take a swing at them before the gang pummels them to the ground.

I say that because I have seen how your government has not reacted to presentations I and many other like-minded people have made to your representatives on Bills 49, 84 and 99. You are here for a public relations scam and I believe you have no intention of changing Bill 160 in any way that would be favourable towards the workers in the education system.

Nevertheless, I will take my swing, because I and my union members are persistent and no matter how many times you knock us down, we will get up and swing again until we either take you down ourselves or the rest of the school yard joins us to wipe out your gang.

Applause.

The Chair: Excuse me, sir. This won't come off your time. I would ask the audience if you would not applaud. That's considered a demonstration, which according to the standing orders made up by the Legislature is not permitted. If you persist in that, I will merely recess and continue to recess until that kind of behaviour stops. Thank you, sir. Please proceed.

Mr Tupker: In the end, as history has shown us, the bullies will lose.

The direct impact of Bill 160 on Ontario teachers has been and will continue to be put forward by the teachers

of this province. I, as a representative of over 40,000 school board employees not represented by the teachers' unions, will try to limit my presentation to the impact of Bill 160 on CUPE members.

We as taxpaying citizens of this province have just as great a concern over how our tax dollars are spent as any other citizen, and as public employees we probably have a greater concern than most because foolish spending of school tax dollars will have long-term affects on our livelihood.

A basic premise in Labour Relations 101 is that an employee who enjoys her or his workplace will strive to make that workplace better. A major factor in having an enjoyable workplace is having input into how that workplace is managed. We as school board employees are always looking to improve our workplace and working to improve the school environment. We try to cooperate with our employers and we rely on our employers to take our input and use it to better the system.

This process is basic to the operation of any business, and although we have not always been as successful as we would have hoped in influencing employers, we believe we have contributed to developing Ontario's schools.

What your government is doing is depicting the whole education system as tarnished and painting everything and everyone with the same brush, rather than pinpointing the problem areas and working with the individual groups involved to create a system we can all be proud of and say we all had a part in improving.

Let me go back. My comments on painting with the same brush: Those are comments I made to a former employer I worked for many years ago, before I became a rep, when the employer decided to send out a memo to every employee in that department claiming abuse of coffee time. There were one or two employees, I suppose, who were abusing it, but rather than confronting those employees and dealing with the individuals, they painted every employee with the same brush, claiming every employee was abusing the time.

The adverse ramifications that had on the membership were amazing, "You accuse me of something I didn't do." That's exactly what you people are doing here. You're accusing us of destroying the education system, and that's not the fact at all.

My basic labour relations premise is one that I am sure you and your bureaucratic colleagues are aware of, and assuming you are aware of this premise, your single-mindedness in pushing your plan through in the form of Bill 160 leads me to believe you don't give a damn about labour relations. You in fact have so much disregard for labour relations that you are prepared to destroy the livelihood of my members by enacting this regressive legislation that will provide you with the ability to give away their jobs to the lowest-bidding private contractor.

This disregard for my members' welfare leaves me puzzled. Why would you be willing to destroy the lives of thousands of hardworking, loyal employees? There must be something very personally compelling to you that would lead to such destructive tactics.

The answer of course is self-preservation. You have promised your rich friends and your friends in the business community that you will give them money in the form of tax breaks and more business, and you are prepared to sacrifice the livelihood of my members to get that money.

The Canadian Union of Public Employees is not prepared to let that happen and we will fight to ensure that our members keep their jobs and to ensure that their jobs remain in the public service and are not turned over to private companies.

In reviewing Bill 160 and the major components contained in it, I can only conclude that this bill, thinly veiled as an attempt to improve the education system, is nothing but a raid on that education system to try to pull out as much money as possible. The raid on the health care system is not going as well as expected and this may be the only chance left to find easy money.

The proof lies in the four underlying principles of Bill 160:

(1) Downsize the education system by merging school boards and virtually eliminating the only voice the public has, ie, the elected school board trustees.

(2) Centralize control and funding of the remaining school boards by removing control of education spending and taxation from school board trustees.

As the previous speaker has said, we need individual school board trustees to deal with particular issues within the north. Time and time again the south creates these wonderful, broad-reaching programs that do not work in the north. It's unbelievable. We keep on telling you that there are special situations in the north, that we need special consideration in the north. Let us determine how we will spend the money and how we will run the operation in the north. Your process here is eliminating that opportunity.

(3) Lay the groundwork for full-scale privatization by introducing outsourcing of school board services and jobs.

That is a major concern we have. We see the regulations that are being introduced as very far-reaching. This bill and the regulations in this bill will override any regulations or any act, including Bill 136 and the Employment Standards Act — absolutely unacceptable to us. There are acts in place that protect our rights and our employees and our bargaining unit rights. The regulations in this bill will override that. We will not stand for that.

(4) Pull up to \$1 billion out of the education system and deny it at every opportunity.

That's the underlying premise of this bill. There's no other reason for it.

Your cutback on every aspect of the education system is an attack on every individual employee in the education system from the school board trustee to the teacher to the custodian, and your attack will not be tolerated.

The Canadian Union of Public Employees suggests you stop acting like a bunch of school yard bullies and urges you to scrap Bill 160.

We encourage you to meet with individual groups in the education system, be they parents, school boards, students or school board workers, and to work with these

people to bring about the changes that both you and they feel are needed.

1110

Mrs McLeod: Thank you very much. You've touched on something that Carolyn referred to as the Henry VIII clause, which is basically a clause in this bill that allows the government for a transitional time, and the transitional time is not defined, to take action if it deems it in the interests of the students, that overrides not only this bill but any other bill or act of the Legislature. I believe it is unprecedented.

We saw in Bill 26, which we call the original bully bill, the ability of the independent commission to be put above the law. There are certainly places in this bill the EIC is put above the law. I don't know that we've ever before seen a bill that has a clause which allows the government, in cabinet, to override through its actions any other act or bill. How do you think that might be used? Obviously it would apply not just to teachers but to other educational workers.

Mr Tupker: I have no idea how it's going to apply. It's extremely troublesome to us. We feel we presented some good arguments on Bill 104, and of course there were some changes made. We see a Bill 136, and CUPE was very instrumental in backing the government down in certain areas of Bill 136. We feel this legislation now is an indication that the government is using the back door to try and get everything it lost in Bill 104 and Bill 136, to try and slam us down and take control over our rights under the collective bargaining process.

Hon Mr Wildman: If this were a struggle in the school yard, I'd want to have you on my side after listening to your presentation.

My main concern is on that one particular section and what you've just said, because that is very worrisome. If you have a regulatory power in this bill that can override all other legislation, then basically the efforts your union and your members made on Bill 136 to protect your rights and the collective bargaining process could be lost here. That's why you feel so strongly about it.

The government says no, it doesn't intend that. Would you agree that if a government puts an article in a piece of legislation it's because it intends to use it, not just there in reserve? Your concern is how they might use this. Is that correct?

Mr Tupker: That's absolutely correct. Why else would they put that piece of legislation in, hide it under section 58(3) and sort of slide it in through the back door? I have some problems with the fact that the government is saying, "No, we'll not enact that legislation." The government also announced they weren't planning on taking up to \$600 million out of the process either, up until last week, and then all of a sudden they said: "Oh, by the way, we are actually going to take that out. You're right. We were wrong in that position."

Mr Marcel Beaubien (Lambton): In your fourth point you mentioned pulling out \$1 billion from the education system. I'm somewhat confused. You just mentioned \$670 million. What's the correct figure?

Mr Tupker: You tell me what the correct figure is. You started off by saying you're not going to take anything out. Then your minister says it's going to be up to a billion and the Premier says, "Well, it could be 5% or 6%," which totals up to somewhere around \$600 million or \$700 million. You tell me what the number is.

Mr Beaubien: But you're not quite sure.

Mr Tupker: Are you quite sure?

Mr Beaubien: I think to reform education and to find out that you would not save any money would be totally irresponsible. I think there's money that can be saved in the system. As to exactly what dollar value, I don't think anyone's got a figure.

We talk about bullying tactics. I think your presentation is a bully presentation. You said you backed down the government on Bill 136. The language you use is bullying language. I think the government listened to the presentation you made on Bill 136 and realized that maybe, yes, on some of the things we were asking we had to compromise on and we did. But no, you have to use bullying language, "We backed down the government on Bill 136."

The Chair: Our time for this presentation has elapsed. I thank you very much for coming here this morning.

Mrs McLeod: Just to be helpful to Mr Beaubien, if he would like a precise figure from the deputy minister's contract, I would certainly be happy to share this page of that contract with him.

The Chair: I'm sure he has that, Mrs McLeod.

LAKEHEAD BOARD OF EDUCATION SCHOOL ADVISORY COUNCILS

The Chair: We'll proceed to the next presentation, if they are available, the school advisory councils. Good morning and welcome.

Ms Lyn Walter: Good morning, members of the panel and to all the concerned public who are present. We are very pleased to be presenting today and have a very important message to share.

We are representing school advisory councils from the Lakehead Board of Education and have with us representatives from these councils in the audience. We would ask them to now stand to show you that this submission is a collective response expressing the sentiments of each council present. Many of these parents have had to arrange time off work to be here today because they are so deeply concerned and want to be seen, recognized and listened to.

Our names are Lyn Walter, Connie Hartviksen and John Stephenson. We are council chairs from the elementary and secondary school panels within the Lakehead Board of Education.

We are the parents who are in the schools, in the classrooms and at our council meetings volunteering our time. It is our children who are directly affected by the changes occurring in schools. Many who are being so critical of public education and who are making recommendations for such drastic change have never been in the schools, in the classrooms or our open council meetings, or do not

have children being taught in our education system. Please listen to what we are saying here today.

We have heard from our Premier and our Minister of Education that Bill 160 is what the parents want and that this is what the parents have asked for. You did not ask these parents, because we do not support Bill 160. This is not what we want. You created these councils. Now please listen to what we are saying.

Mr John Stephenson: What is wrong with Bill 160? Decisions about the education of our children have traditionally been made collaboratively. All stakeholders, including provincial ministries, ratepayers, parents, administrators and teachers, have been accommodated and empowered to participate in a system that has attempted to balance diverse and sometimes conflicting needs.

The education system has always benefited from this synergy. Since the introduction of school councils, those involved have worked diligently to strengthen existing partnerships and to forge new alliances that continue this tradition of collaboration. We have worked and will continue to work very hard to preserve the delicate balance which drives us towards excellence. These efforts are only now beginning to bear fruit.

Bill 160 threatens to upset the cart and spill this carefully nurtured fruit before it can even begin to be enjoyed by those that matter the most: our children. It does this by proposing a massive and anti-democratic centralization of authority that will systematically ignore the points of view of people who care about children and who have valuable insights into their needs.

The regulatory power given to the government to define many, if not all of the details of its proposed reforms without the scrutiny of public debate is of great concern to us. Sections of the bill give unprecedented power to the Lieutenant Governor in Council, the Minister of Education and Training and the Education Improvement Commission. Contrary to the Regulations Act, this bill, if passed, permits the making of regulations that can supersede the bill itself, as well as any other legislation.

Bill 160 purports to transfer control of authority for many administrative decisions regarding the education of our children to the provincial cabinet. It claims this is necessary in order to effect a smooth transition to district school boards and to allow the government to implement reforms of the education system designed to improve the quality of education our children are receiving. It is apparent to us, however, that Bill 160 is equally, if not more so, about saving money by defining working conditions for teachers.

The government wants to reduce education spending and is seeking the power to do this without the need to consult and endure public debate. As parents who care about our children, this makes us extremely angry.

We are deeply saddened about what Bill 160 is doing to our entire community. Everyone is discussing it and everyone feels he or she is right. Emotions are running high and we are seeing friends pitted against friends, family members against family members, profession against profession. The bickering, the name-calling and

the mud-slinging must stop. This is an unhealthy environment for our children to be in.

We are believers in public education. We believe in the principles of equity and quality and caring that underpin our system. We believe that the vast majority of teachers and administrators who have the care and responsibility for our children are also dedicated to these same principles. We need to collectively begin to think sincerely about what is good for our children. Together we should seek political solutions to the conflicts that have brought the education of our children to a complete halt.

The individual goals of the parties that are mired in this current dispute should not be mutually incompatible if the true goal is the improvement of the quality of education of our children. If the challenge of finding win-win solutions for these conflicts is not met, we will all be losers, and of all of us, our children have the most to lose.

Ms Connie Hartviksen: Why are we so angry? Last year each school was mandated by the government to establish a school council. For almost a year we have been asking for further clarification of the proposed expansion of our role. We are profoundly disappointed that in Bill 160 there is not even a definition of school councils. We learn only that councils will be legislated and that the Lieutenant Governor in Council may make regulations regarding advisory school councils, including regulations relating to their establishment, composition and functions. Now in our second year of existence, we are still operating in this vacuum. The prospect of regulations defining our role being adopted without our input and without any public discussion frightens us.

In Thunder Bay many schools had well-established councils in place before there was even a mandate for them. We have worked hard to establish trust and good working relationships between parents, teachers, administrators and our students. We addressed the needs of our own school community and were initially comfortable with our role.

In the last year we've had to respond to not only our schools' needs but also to requests for input about provincial issues. It will become increasingly more difficult to keep our volunteers as the workload increases and our responsibilities change. Many parents have indicated they don't feel qualified or comfortable with the expanding responsibilities that go along with this impending change. We have enjoyed our relationship with our trustees and we definitely don't want their jobs.

1120

We are parents who want to participate in our children's education, not run it. We want a partnership, not the total responsibility. Boards of education perform a valued and needed role. They provide direction for public education that is locally sensitive and publicly accountable in a way that school councils never can. Bill 160 does not nurture partnerships at any level. Instead it centralizes power and control over our education system and places it in the hands of an élite few.

We are volunteers. You can't create legislation to tell us what to do with our volunteer time. How would you and how could you enforce this?

In the school council handbook, the need for communication was emphasized, saying that the overall success of school councils will be dependent on effective communications at all levels. Everything about Bill 160, from its contents to the way these contents have been communicated, has been managed in a manner totally contrary to this. As members of school councils, we are very angry, disappointed and discouraged about the stunning lack of information out there about Bill 160. This clearly demonstrates your lack of concern for us and for the fair democratic process. The message we are getting is, "Do as I say, not as I do."

It is important for the government to understand that the lack of criticism by parents of this bill should not be interpreted as silent acceptance or apathy. It's the result of a decided lack of digestible information about the contents of this bill, and also about the lack of time required to make a knowledgeable response. Even the process of selecting those who would have standing at these committee hearings appears to have been managed to control whose voices are heard. Consultations with parents must include more than just those people who have been appointed to the Ontario Parent Council. They don't speak for us.

Ms Walter: What to do now? Stop and rethink this bill. Consult with other parents, not just your appointed parents on the Ontario Parent Council. Consult with teachers, administrators and students. We do not object to change, but cannot accept Bill 160 as it stands; nor can we accept the haste to proclaim it. Proceed more slowly. Plan carefully. Give us specifics. You listened when we asked you to go slower with secondary school reform. You listened to us when we gave input to Bill 104. Please listen to us now.

We want you to take the time to include in the bill an affirmation of the principles of equity, quality and caring that underpin our public education system; to amend the bill to include a definition of the role and responsibilities of school councils that has been developed in full consultation with a broad cross-section of parents, teachers, students and community members; to amend the bill to say that you will only adopt regulations that are consistent with the broad principles that define public education; to amend the bill to require that specific regulations only be adopted after appropriate public consultation and debate including all stakeholders.

We want you to take the time to amend the bill to specifically regulate minimum and maximum class sizes and allow teachers and boards to bargain within this range, depending upon available funding; to amend the bill to include a detailed definition of the funding model for education that we can all intelligently assess; to amend the bill to require that only certified teachers will have supervisory control over the teaching of our children; to amend the bill to ensure that adequate preparation time is preserved and equitably distributed to maintain the delivery of quality educational programming.

As Michelle Landsberg stated in the Toronto Star this past Sunday, "We never thought we'd hear a Premier of this province mislead the public so blatantly, so outrage-

ously, about so vital a concern to the citizens." We were told that no more money will be taken from the public education system, yet this week we have learned that this was not the truth.

We have lost our trust and confidence in this government. Start again. Gain back our trust. We are all challenged by this conflict to find a win-win solution that will enrich the education of our children.

Thank you for this opportunity to speak to you today about our concerns.

Mr Wildman: In light of the time, I just want to thank you very much for your presentation. It was very well done. The list of proposed amendments to make this bill palatable is very, very good and comprehensive. It deals in a way that you as parents who are caught in the middle along with your students and your children will be able to have some real say and help to bring the teachers and the government together. The other group of course that is caught in the middle and left out is the boards, and you've spoken about the value of them. I just want to thank you very much for this presentation.

Mr Smith: Thank you for the comprehensiveness of your presentation. Very quickly, could you give me an idea what regulatory powers you would remove from regulation into statute, what areas of the bill?

Mr Stephenson: I think we have listed the areas that are of concern to us. There is a broad variety of areas where the bill gives regulatory power to the cabinet. We feel it's a semantic problem as much as anything. We don't mind regulations as long as we have an opportunity to comment on them. There should be a public process and we worry that there won't be. In fact, we're convinced that there won't be. So I think you have to look at every single area in the bill where that power is granted to cabinet and either protect the public by building in a process that allows for input and feedback or get rid of the regulatory authority.

Mrs McLeod: I completely agree that the goals of the different parties involved in this dispute should not be mutually incompatible if the goal of everyone is truly improving the quality of education. I believe that if your amendments were accepted now by this government our teachers could be back in the classroom. Do you think there is any chance you can improve the quality of education if the government's determined to make enemies of its teachers?

Mr Stephenson: I think we'd be digging ourselves a huge hole and it would take a very long time to get out of it.

The Chair: Thank you very much for your presentation and work you've done in making it up.

LAKEHEAD (PUBLIC) SECONDARY
SCHOOL PRINCIPALS'
AND VICE-PRINCIPALS' ASSOCIATION

The Chair: Our next presenter at 11:20 was to be OSSTF, Red Lake division, but they have provided their time slot to the Lakehead (Public) Secondary School

Principals' and Vice-Principals' Association. I hope I got that right. I'd ask you to identify yourselves for the purposes of Hansard and proceed with your submissions.

Mr John Palko: Good morning. Let me introduce Charlene Dulacka, who is presently a vice-principal at Hammarskjold High School in Thunder Bay. Charlene is a secondary school vice-principal with some experience in a number of schools. She has also been chair of a languages department and a classroom teacher.

My name is John Palko. I am the principal of Westgate Collegiate and Vocational Institute. I too have had a broad range of experience as an administrator in secondary schools, a department head and a classroom teacher.

We welcome this opportunity to present the views of secondary principals and vice-principals of the Lakehead Board of Education on Bill 160, the Education Quality Improvement Act, 1997. I'd like to thank Wendy Nordby, vice-principal of Red Lake District High School for giving us her time.

In our presentation this morning, we'll be addressing student learning conditions, shared decision-making and the work of teachers. These areas are important to the running of effective secondary schools.

Our experience as school leaders and administrators leads us to believe that there are provisions in Bill 160 that will (1) impact negatively on student learning conditions; (2) exclude many present participants from the decision-making process in our education system, and that has been alluded to in the former presentation; (3) it will also overextend, dishearten and demoralize those we most need to engage in future reform efforts, that's our classroom teachers.

Let me speak on student learning conditions. The interactive relationship between teachers and students is at the heart of secondary education. The learning conditions that govern this relationship are affected by a number of factors, including the number of students in the classroom, the grade, level and range of ability of the students, the type of activities taking place in the classroom and the physical environment making up the classroom setting.

Over the past five years, it has been our experience that spending reductions at the provincial level have had a definite impact on the classroom. The teaching staff has been reduced by 5%, resulting in fewer teachers delivering the program, and supply and equipment budget reductions give us fewer resources in the form of textbooks and learning materials.

In our secondary schools this has resulted in larger classes, combined grade classes and the cancellation of certain classes. As a result, teachers have been trying to meet the needs of a more diverse group of students in larger classes. Our local federation has responded to these cuts by negotiating the staffing formula with our employer in our community.

In the Lakehead Board of Education, we were first able to negotiate the important area of class size in 1975 after a long strike, and I believe Lyn McLeod was on the other side of the table when the strike was settled. It was largely our desire to have control over this working condition,

which indeed is the students' learning condition, that led to the inclusion of staffing in our collective agreement and we've tried to maintain that and work with that and make it a viable thing for our kids.

This formula has served us well in the past 22 years by allowing us to work with the board in recognizing the realities of school organization in Thunder Bay and in our secondary schools.

1130

Bill 160 will remove our ability to negotiate a staffing formula. We fear that by having the ministry establish class sizes and staffing levels, local needs will not be recognized or met. Current financial needs of the existing government will result in larger class sizes, an increased number of students per teacher or some combination of these. Our working conditions affect the student learning conditions. Learning conditions for our students are best determined by our local community.

We also question how the central government in Toronto could possibly recognize the needs of our high schools in Thunder Bay.

Ms Charlene Dulacka: I would like to comment on the importance of a shared decision-making process in our schools.

Our experience in the Lakehead Board of Education has been very positive in the area of shared decision-making as it relates to school improvement. Our principals and vice-principals have promoted and nurtured a culture of collaboration, consultation, team-based problem-solving and decision-making in order to bring about positive and significant change to our schools. All of the educational research on school leadership that we are familiar with emphasizes the importance of people's involvement in the decision-making process to bring about real and meaningful change.

Our work with school councils is a case in point. The Lakehead Board of Education has been a leader in the province in the establishment of school councils. Unfortunately, school council members and school administrators are somewhat frustrated at the lack of direction that has been provided, the lack of specifics that have been provided with respect to the mandate and the intended operation of this group.

One cannot expect parent volunteers to give freely of their time and efforts while operating in a vacuum. Bill 160 says nothing about our concern and addresses no aspect of our concern with respect to the mandate of school councils. The centralization of control by the provincial government in essence excludes the very people we need to be involved in improving our schools.

Our third and last point concerns the valuable work of teachers in our schools. As school leaders, we recognize that much of the work of the school that goes beyond the formal teaching and learning takes place as a result of the voluntary contribution of the time and talents of our teachers. We are extremely proud of our schools, our cocurricular programs and other special activities that enhance the learning environment for our students. Much of what makes our schools inviting places to work and learn is the

direct result of the efforts and goodwill of our teachers working directly with students and, in many cases, parents, guardians and other community people.

Those of us around this table, if asked to recall a special classroom or a special school experience, a memorable school experience, will more than likely think back to not necessarily a particular lesson or a classroom situation, but rather a time and a place, be it through a drama production or a musical event or an athletic activity that, albeit ever so insignificantly, allowed them to take the spotlight and for one small moment feel some sense of success, accomplishment and bonding with our school.

All these kinds of activities we know happen from the enormous goodwill of teachers who have the skills, the desire and the enthusiasm to become involved with students and extend their learning in ways that go well beyond the classroom walls of a secondary school.

This is the most significant aspect of school life that will be adversely affected by Bill 160. Teachers will be unable to become involved in the broader life of the school to the extent they have been because of the additional teaching load that will be placed upon them. The reduction in the number of teachers in our schools will reduce the range of specialized subjects available to students and also reduce the pool of talent available to contribute to the supervision of the school and the activities of the school beyond the classroom.

Last month, Lakehead secondary principals and vice-principals participated in a day-and-a-half-long forum involving parents, students, trustees and community people. All these people came together to examine secondary school reform for our local school system. What came through loudly and clearly from all participants was that one of the most serious threats facing our local school system at this time was the demoralization of our teaching staff, and with that goes the loss of all that makes school life meaningful and relevant for many of our students and their families.

Teachers feel they have been under attack and devalued by this government. The government risks losing the goodwill of the teachers, which could result in the disengagement of teachers in future renewal efforts. We also see that the nature of the workday is in jeopardy through the reduction of preparation time and the pending increase in the number of student contacts.

Teacher preparation time during the school day is absolutely essential for teachers to prepare lessons, to meet with individual students and provide them with their needed attention, to contact parents and to attend to the myriad of administrative tasks that all form part of the teaching process.

We, as school administrators, also rely on this time to assign school supervision duties to staff, to supervise our halls, our libraries, our cafeterias, our bus areas, our computer labs well before 9 in the morning, during the school day and long after the formal school day has ended. This time also allows teachers to work together and to share their expertise, which will ultimately enhance student learning. With pending secondary school curriculum

renewal, we will also need this time and the goodwill of our teachers to bring about the effective implementation of all these new changes.

Mr Palko: We thank the standing committee for the opportunity to present our views. As school leaders, we're accountable to the ministry and the school board to deliver quality education for the young people in our community. We count on the time, talent and goodwill of our teachers to deliver the best possible school experience.

We have seen significant and positive changes take place in our schools as the result of the engagement of all members of our school community, working constructively together, and our hope as school leaders is that this government does not act in ways that will have a negative effect on our school system, a good school system that continues to get better.

The Chair: Thank you very much. We have less than a minute. Is there anything you'd like to add or any other conclusions you'd like to present to this committee?

Mr Palko: Not at this time.

The Chair: I thank you very much then for your presentation.

ANDREW HORSFIELD

The Chair: Our next presentation is Mr Andrew Horsfield. Mr Horsfield, you should have a written presentation that has been distributed.

Mr Andrew Horsfield: Good afternoon and thank you for allowing me to speak to you today. When I heard that you were coming here, I thought I should request speaking time because I spoke to the committee regarding Bill 104 and, as they say, in for a penny, in for a pound.

In one way it's funny that I should have such interest in this topic. I'm not a teacher or a trustee or related in any way to anyone in the education system in Ontario. Like I said last time, I'm just a real estate broker from Thunder Bay. I have no ulterior motive for being here, except my daughter, my only child, will be part of the system in just a few short years and I want her to have a chance at a decent education.

As a real estate agent, I work under the legal concept of agency. I work for the people who pay me, the ones selling the houses, so I accept and fully appreciate that the leaders of the teachers' union work principally for the benefit of the teachers. It is their duty to fight any changes that are a loss of power or might be considered a detriment to the teachers.

But if we extend this examination of principles and agency to its logical conclusion, then we should try and establish what body should have the best interests of our children at heart and that can only be seen to be our elected representatives, for our MLAs answer to us, the voting public.

We demand good government from them or we'll fire them, much as teachers demand that their union representatives hold the line against any change. It's logical, legal and makes sense to me. So I can understand the union position. I just can't agree that they're attempting to pro-

tect the education of our children. That would be a breach of their fiduciary duties. To say that the teachers' unions' primary concern is the children's education is equivalent to saying Buzz Hargrove and the UAW's biggest concern is the safety of the car-buying public over jobs. It's the union's job to protect teachers and the cash cow, not our children.

If I was the leader of a union, I would much prefer to negotiate with smaller, fragmented boards throughout the province that I could intimidate with a massive strike fund and professional out-of-town negotiators. I certainly would not want to deal province-wide with an equally powerful opponent. Smaller school boards are a much easier target.

The problem with the current state of affairs arises when we examine the results of the present system. It appears to be failing our children. It's my understanding that Ontario spends more money per student on education than anywhere else in Canada, but our students finish squarely in the middle of the pack when it comes to testing. So money is not the problem. If others are spending less and achieving more, that's proof we can do better.

1140

It appears that I'm not the only one who feels our schools are failing us. Just look at the proliferation of home schooling and supplemental private teaching facilities such as Sylvan Learning Centre and private schools. Concerned parents are voting with their feet. They are paying for help outside the regular system to ensure that their children receive a good education. So you see, maybe I do have an ulterior motive. I don't want to have to pay for all that with my daughter. I want the education system that my tax dollars are paying for to give my child a decent education. I'll worry about university when she gets there.

Perhaps one of the greatest, most important tenets of our society is the concept of equality among people. No one is predetermined by birth to be more deserving than another in our country and province. Unfortunately, some people have a harder row to hoe than others; they need a little more help than the rest of us, and we should be happy to do so. But everyone should have an equal opportunity to succeed. The advantages that our education system bestows upon its students should not be the happenstance of where you are born, and yet up to now, it has been. Our education system has been grossly unfair.

Under the present system, each local board raised what taxes it could and then went cap in hand to the provincial government looking for grants from the general coffers. Those students living in an area with a rich tax base enjoyed more benefits than their rural cousins. Smaller boards are subject to the whims of local issues and taxes. There are even inequalities within areas. Separate school pupils in Thunder Bay endure larger classes, fewer field trips and other such injustices. This bill proposes to stop all this.

Bill 160 places the burden of taxation for education upon the province. Smaller local boards won't have to worry about setting taxation rates. They won't have to

respond to a sudden crisis with an increase in taxes or cutback in education. If a major local employer in a small town goes bankrupt or stops paying taxes for some reason, the students won't suffer.

Bill 160 will set a predetermined amount per student throughout Ontario. All students will be treated equally. Those pupils in smaller, rural areas shall be on a level playing field, and those children who need extra help, the ones with the harder row, shall no longer be a burden to their board; they shall be provided for. At last, an equal fair system of funding education throughout the province.

Another change this bill will implement is so simple yet so far-reaching. Bill 160 proposes to change the fiscal year to match the school year. Just think about it. Up to now, school boards have had to wait until the spring to receive their money. Meanwhile it has all been spent or committed. They have had to hope they were going to get enough money to cover their bills. It's like me trying to pay off my credit cards. It's not a pretty sight. You would have figured that with all the accountants they have on the government payroll, someone would have figured this out earlier. It's going to be a lot easier for boards to create and stick to budgets when they know how big a budget they're going to have. This simple yet effective change smacks of — I almost hate to use the term — common sense.

I have often heard that with funding goes the power. I can see why we are in such a flap. When we look at the issue of class size, I see it as a philosophical battleground between those who would be king, and that's wrong. I really don't care how much money a teacher makes. Teachers are worth every penny they can negotiate, just like sport stars, secretaries, realtors, MLAs or any other profession. It's supply and demand. But under no circumstances should my child or any child have to sit in a larger class and have her education suffer because the union executives were doing their job in negotiating a pay raise.

If everyone agrees that the number of students in a class is critical to the quality of education, then let the experts set the optimum size and stick to it: non-negotiable. It should not be an item to be bandied back and forth across a table in some smoke-filled back room: "You give us an extra 1% and we'll stick an extra kid in every class." No. It's too important. Right now in the province that spends more money than anyone on education, some students are enduring classes larger than optimum, and that's simply not fair.

Since I have several members of the government here listening to me, I want to make something perfectly clear: I am trusting you with my daughter's education. You'd better hire the best people in the business and set a class size that encourages learning and not just cost-cutting. I am placing a great deal of faith in you. You have done what you said you would do up to now, and I respect that. Please don't betray me now.

It's like this issue of class preparation time. Instead of trying to settle this thing right across the board, shouldn't we be looking at exactly how much time is needed in each subject? History and English teachers must need more

time to prepare than physics or math. Not to belittle either subject, but accept that some subjects require more outside time. Maybe you should look at that down the road.

Or instructional time: It would seem to me that the more time a teacher actually spends in front of a class actually teaching, the better off our students would be. But of course I'm not an expert. I'm sure there are people out there who could make a convincing argument that spending less time actually teaching benefits our students. You have probably already heard from some. But I come from the old school that says a teacher in the classroom with the students is fundamental to improving education. Maybe with some of the money saved through this bill we can hire more teachers and reduce class size even more. Who knows? Maybe some day we'll even get away from an agrarian year set back in the 1800s to let kids help on the farm.

Sorry. Originally, I only wanted to speak to you about funding, but I guess when you get on a roll you can't stop. I'm only telling you some of my thoughts and opinions and the comments I hear from people like me who want to see the system saved or improved. We're not experts, but we're footing the high tax bills. I have never minded paying for quality. I will always elect to pay more if the product or service is better and I can afford it. It's about value and it makes sense. But that hasn't been the case in Ontario. We've been paying the bills, but the goods have been less than top quality.

Newfoundland beat our kids in math a few years ago. We lost to Newfoundland? Does that mean that in a generation or so our kids will have to go there for a job instead of their kids coming here? Just think about that. Think of the jokes: "What did the two kids from Ontario do when they bought a pair of water skis? Looked for a lake with a hill in it." That's going to go over really big.

The changes being proposed in Bill 160 are overdue. It should have been done years ago, as it has been recommended time and time again and has already been done in other provinces. Too many children have suffered under the present system. Too many pupils have been short-changed just because they live in the wrong area or go to the wrong schools. I can understand that the duty of the opposition is to oppose, but it must be hard when deep down you know that what is being done is right. It's kind of like a lawyer trying to get a guilty client off. The system may demand it, but conversely, there is an old saying that the viciousness and intensity of the attack often denotes the weakness of the argument.

My final words are for the government members. Most of the people I talk with are in agreement with your aims, but we challenge you to maintain the spirit of your words. Don't cut costs for cutting's sake. Do the things that are necessary to preserve and improve the quality of education so that I can tell my daughter in the future that I fought for her education and I fought on the right side.

The Vice-Chair (Mr E.J. Douglas Rollins): Thank you very much for your presentation. We appreciate that. You've used up your allotted time.

NIPIGON-RED ROCK DISTRICT WOMEN TEACHERS' ASSOCIATION

The Vice-Chair: The next group we have is the Kenora Women Teachers' Association. Identify yourself for the record and start, please.

Ms Audrey Cormier: I am Audrey Cormier, from the Nipigon-Red Rock District WTA, and I am here in place of Linda-Beth Marr from Kenora. She was unable to attend.

So, \$1 million for the most recent Mike Harris ad, \$82,000 for the sugary TV interview that fooled no one and approximately \$1.5 million for this full-page newspaper ad which has run across the province. That adds up to approximately \$3 million spent by the Harris government to try to convince the Ontario public that the existing education system is not working. In addition, he has recently announced he's going to pay \$40 a day for under-13-year-olds during the civil protest. This is supposed to come out of the teachers' unpaid salaries. At this rate, a teacher with a class of 30 would be getting paid \$1,200 a day, or \$242,000 a year. My salary is nowhere near a quarter of that, Mr Harris. Who's paying the rest? Those collective agreements are starting to look pretty good in comparison.

It's insulting to the people of Ontario to have Mr Harris tell us over and over again that we can't tell if the system is broken and that he must spend millions of dollars to tell us that over and over again.

1150

Notice that nowhere in this ad does it say it's about Bill 160 — nowhere. He just hopes you will believe that. The ad is not about Bill 160, even though it costs millions of dollars. Most of these reforms are already in place. They were implemented competently by teachers and boards over the past two years. Teachers are working for the second year on those new understandable report cards and they're using the new curriculum daily. And of course you all remember those grade 3 provincial tests last spring, and I hope you are aware of their costs. How many of you are actively involved on those already newly created and functioning parent councils? Most of the reforms suggested in this ad already exist. They are not Bill 160. They have been enacted with existing legislation. It works.

So \$3 million wasted? Oh, no. The Harris government has spent this money to create another smokescreen for its true agenda in Bill 160. They know how to create smokescreens. Didn't they rob health care in their last one?

Bill 160 allows the Lieutenant Governor in Council, aka the Minister of Education, to make regulations to just about everything in his 262-page bill. With this regulatory power, the minister can make just about any change he wants in education and to its funding, and he can do it all through an order in council with no parliamentary legislation or discussion needed — scary stuff when you realize a \$700-million cut in education was written into Deputy Minister of Education Veronica Lacey's contract as part of her mandate. Bill 160 gives the minister that power to

cut and cut again, with no guarantee of how many times or how much he will cut. Can our public education system survive Bill 160?

I see a good public education as a way for any child from any walk of life to give themselves a chance to be whatever and whoever they choose to be in life. That's an ideal goal in a democratic society. With an education system cut to the bone and at the mercy of a provincial education minister, I see many children robbed of this ideal chance. Those who can pay will send their children to private or charter schools, paying \$20,000-plus a year to educate their children, and those who can't will be left to struggle trying to do more with less.

With the proposed \$700-million cut from the public system added to the previous \$800 million in cuts in the past, \$1.5 billion will have been cut from the education budget in the last few years. This isn't making do with less; it's making do with nothing.

All across North America and in the United States and even in Alberta and Manitoba, education systems are hurriedly reinvesting in public school systems after experimenting with legislation similar to Bill 160. They've sacrificed a generation of children. Will we? And Mr Harris wants us to trust our children to him.

Not only does Bill 160 give the minister unlimited powers and funding, it seizes control over the trustees of our school boards and their employees, the teachers. By repealing the School Boards And Teachers Collective Negotiations Act and replacing it with Bill 160, the minister will have unheard-of control of the negotiating process. Existing collective agreements must be renegotiated regardless of their termination date, collective agreements that have been bargained in good faith, not with government but with their local school boards, between people who understand local conditions. Our own Nipigon-Red Rock district school board and its elementary teachers have negotiated no pay raises over the last six years because we understood our local economic conditions. I believe this is being responsible.

Aren't signed collective agreements negotiated between two parties in good faith supposed to be law? And Mr Harris has the nerve to point at teachers for standing up for our democratic rights and the future of public education of our children.

As a consumer, when you shop for a car, you consider your family's needs and your resources, and then you shop for the best buy for your money. Would you buy a vehicle if it didn't suit your family or if it had many glaring technical faults which would compromise your family's safety? Ontario's public, its children, its parents and its teachers are these consumers. Bill 160 is the vehicle that is offered. We have researched this product offered by the Harris government. We see many glaring, potentially dangerous faults. We are not listening to the oily salesmen. We know Bill 160 is a lemon. Sorry, Mr Harris, we're not buying it. Please stop Bill 160.

The Vice-Chair: We have less than a minute per caucus. We'll start with the government caucus.

Mr Smith: Thank you for your presentation. If you were to make recommendations on areas that should be moved from regulation into statute in Bill 160, what central theme areas would you focus on?

Ms Cormier: I would certainly focus on the funding issue. I don't believe it belongs to the government to be regulated.

Mr Gravelle: Thank you very much for your presentation. I think what was especially important about it was that you absolutely cut through the smokescreen that the government is trying to set up. We have watched the Premier on television and listened to him respond, and he really has been diverting what the issues are all about, because in fact, as you've pointed out, Bill 160 is about power, it's about control and it's about taking money out of the system.

I think the question that needs to be asked is that, as you've pointed out, a huge amount of money has come out of the system already, and the Premier finally acknowledged, essentially because he had to, that indeed there is at least another \$667 million coming out of the system. Tell me as quickly as you can what effect you think that will have. We know that the impact of the cuts up till now has been terrible. What further impact do you think there will be from a further cut that has now been acknowledged by the government?

The Vice-Chair: I wish you had been a little quicker with your question, because there isn't time for the answer.

Mr Gravelle: She can do a quick response, surely.

The Vice-Chair: No, because we have the rule. Next, Mr Wildman.

Mr Wildman: I'd like to thank you for your presentation, and I'll be a little quicker. I really wonder if you want to simply move the regulatory power into the legislation or whether you think these powers should be left at the local level so that teachers and boards can negotiate on the basis of the local conditions.

Ms Cormier: I believe the existing system has worked very well. I don't think that provincial legislation can meet the needs of local boards and local areas. As I mentioned before, our economic situation in Red Rock was very severe with the Domtar downsizing, and because of that we were able to modify that. If it were regulated, we would not have been able to do that.

The Vice-Chair: Thank you very much for your presentation. That's the extent of time we have.

ATIKOKAN OPSTF, OSSTF, OECA AND FWTAO

The Vice-Chair: The next group we have are the OPSTF, OSSTF, OECA and FWTAO from Atikokan.

Ms Pam Money: Good morning. My name is Pam Money, and I am the local president of the Atikokan Women Teachers' Association. Today I am here to represent my own members as well as the other three federations we have in town: the Atikokan district of the Ontario Public School Teachers' Federation, the local unit of the

Ontario English Catholic Teachers' Association and the Atikokan district of the Ontario Secondary School Teachers' Federation. I have with me today Ed Ojala from OSSTF.

Premier Harris stated that he understands that the job of the teachers' unions is to put their membership first. For the record, the number one priority for my federation is "to maintain a strong publicly funded education system which meets the diverse needs of the students, beginning at an early age." I am here today because Bill 160 will limit our ability to provide a high-quality education for the students of Atikokan.

Since coming into power, the Harris government has repeatedly disrupted the education system. Already, \$1 billion has been cut from the province's education budget. The result in some areas has been the loss of junior kindergarten, larger class sizes, fewer textbooks and supplies, a cut in programs, a loss of library resources, cuts to special education programs and more. Bill 160 centralizes all power and decision-making with respect to education into the hands of the Minister of Education and Training and the cabinet. This consolidation of power gives the cabinet the power to cut education spending — by \$800 million, by \$1 billion, by \$667 million. This can be done without any regard to communities, to parents, teachers or students.

1200

Ironically, Bill 160 is called the Education Quality Improvement Act. However, contrary to the name, this bill is not about the improvement of the quality of education, but rather it is the government's attempt to take away more resources and to further weaken the education system.

Any further cuts to funding of our schools simply mean that anything not considered to be essential by the province could be cut; for example, more junior kindergarten programs across the province, adult education, library services and specialty programs such as music, art and athletics. In Atikokan, we have fought particularly hard to keep our high school Outers program, a unique outdoor education program. For 33 years, students have had a character-building and confidence-building experience in our local environment of Quetico park. Future cuts could end growth experiences for our students of this nature.

Class sizes have risen over the last few years, not because teachers have willingly negotiated larger numbers but because funding has been drastically cut. Before the funding cuts, teachers were successful in negotiating lower class size limits. Negotiating lower class sizes by setting maximum levels has been a priority for teachers because they care about the students they teach. Smaller class sizes mean better learning conditions for students. Locally, if class sizes increase, it could result in fewer programs being offered at the high school level and more split classes at all levels of education in Atikokan. Parents are already voicing strong opposition to the multilevel, multi-grade classes, a situation that will only be magnified with further cuts to education.

Research shows that quality is more important than quantity and few gains are to be made in learning by increasing the length of either the school day or year.

There is also a large number of disadvantages associated with lengthening the school year. We're very concerned about the increase in dropout rates, less growth for children, the negative impact on student employment opportunities, disruptions to family life, increased costs of operating schools and less professional development time for teachers. While we are not saying that contact time does not make a difference, it is not simply a case of "more is better." Quality education is more than simply time in the classroom.

The government has introduced changes that will significantly reduce preparation time for teachers. Teachers use their preparation time outside of the classroom during the school day to perform a variety of activities necessary for students' learning: preparing lessons, marking, consulting with parents, meeting with other professionals such as psychologists and speech language pathologists, working with other teachers, providing individualized help to students, setting up projects, organizing school trips, school concerts and sporting events. That's just a few of the ways the preparation time is being used.

Teachers already do much of their work outside of school time, in addition to time spent on extracurricular activities. Many of these activities that teachers use their preparation time for cannot be accomplished outside of school time. Cuts to teacher preparation time will result in teachers having less time to offer a full range of activities and classroom methods and to respond to the individual needs of students. Less preparation time will mean fewer teachers in schools. Having fewer teachers in schools will mean a decline in the overall quality of school life and in the ability to deliver a varied and comprehensive program to Ontario's students.

The government is proposing changes to allow people without teaching certificates to teach in our schools. We all agree that these individuals have their areas of expertise, but they lack the teacher training which makes the difference. Teachers know how students learn, how to evaluate the students' progress and how to manage a classroom. Teachers know that instruction in one area does not occur in isolation from instruction in other areas. Teachers are knowledgeable about the essential stages of development, socialization and learning. Teachers are subject to rigorous standards and expectations. Placing persons without teaching certificates in teaching positions is not being done to improve the quality of education. It is simply a way to save money in an already underfunded system.

The government sees teachers' collective agreements as a barrier to its plan to reduce education expenditures, collective agreements that have been negotiated over many years and in good faith by both local school boards and their teachers. Currently, teachers and other public sector workers have the right to bargain all terms and conditions of employment. It would be a regressive and punitive use of legislative power to limit the scope of bargaining of teachers.

Since January 1, 1997, the government has promised to release the new Tory funding model for education. To date, the boards have nothing. Our region 5B had 24

trustees representing the area. Bill 104 will now see the same region represented by seven trustees, and only one of those trustees will be from Atikokan. How can one trustee possibly represent all the interests of the children of Atikokan? The board's ability to levy taxes for any educational shortfalls no longer exists.

Our school councils are also reluctant to get heavily involved, as their roles and responsibilities are still questionable. The people sitting on these councils are volunteers, and they have been offered no training whatsoever and certainly no money with which to operate. Frustration is running high in this province with teachers, with parents, with school councils, with the school boards and with the students.

At this time, I will conclude with a news release that the local presidents put out yesterday to our local citizens.

The Atikokan teachers would rather be in their classrooms today than taking part in a political protest. We are taking a stand to preserve quality education for the students of Atikokan and Ontario.

This is not a strike. This is a political protest. A strike is an action against an employer. Our employers are our school boards. We are not taking action against the Atikokan Board of Education or the Atikokan separate school board. We are protesting the government's plans to destroy our education system. Please stop Bill 160.

I thank you for providing me with the time to speak to your standing committee this morning.

The Vice-Chair: Thank you very much. You've used up the allotted time, so it worked out very well.

We will now stand recessed until 1:30.

The committee recessed from 1209 to 1333.

ROGER DOLYNY

The Chair: We have a quorum. Good afternoon, ladies and gentlemen. I'll reconvene the meeting of the standing committee on administration of justice.

Our first presentation is by Roger Dolyny. Mr Dolyny, welcome. We have allotted 10 minutes for you. Please proceed.

Mr Roger Dolyny: As an introduction or preamble to the points contained in this presentation, it should be noted that this is a distillation of views from many residents, ratepayers, parents and businesses across the Rainy River district where I'm from.

Our district is vast — it spans some 280 kilometres by 120 kilometres — but has a population density of only about 34,000 people. Our largest town is approximately 9,200 people, and we have the dubious distinction of having some of the longest daily student bus rides in the world, about four to four and a half hours a day.

However, the parents in our district are as dedicated and devoted to their children of time, effort, money and concern as any on this continent. Given these distances and weather conditions, they have to be. Perhaps that is why we in our district have seen what distances and balkanizing can do to bargaining with teachers, with no input from parents concerning their children's needs and a

continual increase in taxes, without results from the graduating student. That is, some of them can't read or write or do simple math.

In September of this year, the Teachers for Excellence in Education in Ontario stated, "Parents, taxpayers and many teachers in Ontario realize that we pay far too much for a system of education that is producing average to less-than-average graduates on national and international scales."

One of the overwhelming concerns from everyone we have spoken to is simply this: Will Bill 160 give us, as parents and ratepayers, any hands-on apparatus for direct input into the education of our children?

One mother put it this way: "The Education Improvement Commission should have a method of surveying the input or concerns of school councils. There should be a means of surveying the various bargaining groups for input. Balance and coordination could then be struck between the parties."

Another mother, who is also a school council member, voiced these concerns: "There should be a manner and fashion that school councils could send their concerns directly to the Ministry of Education or the Education Improvement Commission or whatever direct policy-making body there may be implemented, but the system should have some decision-making powers for school councils and an absolute response mechanism for voiced concerns with a maximum turnaround time of seven days. And any person who sits on or gives advice to a school council and is a teacher or related thereto or is a board employee shall not have a vote on any school council decision."

Across our district, great concern was expressed about the lack of accountability regarding the expenditure of tax dollars. The point that was continually put forward, and this cuts right across the broad spectrum, is to audit the boards and publish who gets paid what and where the money is going. Board employees should be held accountable if budget expenditures are more than 10% higher than projected.

Both parents and business people are appalled that we are graduating students from our secondary school system who lack even the basic skills in reading, writing and simple math. When a graduate cannot read a maintenance manual for any type of equipment, the results are economic waste for business and this country, and when we have a system that graduates students into our universities who then have remedial courses in basic math and reading, this is totally unfair to our students, the parents and the ratepayers.

However, it was also pointed out that we have too many teachers doing guidance and social work instead of teaching. The discipline problem should not be foisted entirely on the education system but should have stern and consistent measures that are meted out so that teachers do not have to fear for their own personal safety when a student is disruptive or breaks the law.

It is our understanding that teacher work time in our Fort Frances-Rainy River board is as follows: In a five-

period day, one period of 76 minutes is for lunch; one period of 76 minutes is for prep time. This leaves three periods — that is, three hours and 48 minutes — for teaching. Our class size ratio is approximately one teacher for every 15 students in the secondary school system. According to the news media, the teachers' union and the Ministry of Education, there are approximately 126,000 teachers in this province for 2.1 million students. This translates into one teacher for every 16 students. This is not only unacceptable; it's an incredible waste of money, especially given the comparative results that this province is achieving in education.

All parents, ratepayers and businesses interviewed stated that there is a need for consistency in application of school terms, contract negotiation and education standards — that is, a core curriculum and meaningful test results — and these should not be left up to individual boards that are woefully unprepared to deal with these issues with the teachers' unions. It should also be noted that since the inception of this school year this September and the start of regular board of education meetings in our district, two of these meetings out of a possible five have been cancelled because of lack of agenda. This would indicate that some of the reforms and changes, such as school councils, have been having a positive and fiscally responsible effect.

Appended to this presentation is a listing of a dozen parent organizations throughout the province that have sprung up demanding changes to an unresponsive educational system, and I'm sure there are more. There is also a listing of more than 100 reports and research documents that are critical of the Ontario education system. Any group that states that this displeasure and criticism of our education system has happened overnight is totally involved in their own special interest.

Lastly, all of the students, parents, ratepayers and businesses in our district with which we have discussed our education system and Bill 160 have all expressed their desire for change, but they also wish to have a local mechanism that would allow direct access and control over the dispensation of this education system for the betterment of the students.

The Chair: Thank you very much, sir. We have just about a minute per caucus and we'd start off with the — oh, okay. He has made his presentation and has left. We'll go on to the next one.

1340

ONTARIO PUBLIC SCHOOL
TEACHERS' FEDERATION
THUNDER BAY DISTRICT

The Chair: The OPSTF, Thunder Bay District, Mr Jim Green. Welcome, Mr Green.

Mr Jim Green: Thank you for the opportunity. I guess I can jump right in. Unfortunately, it's only 10 minutes, so I'll just have to hammer away quickly.

This government has learned well from history. Canadians are a kind, gentle people with great respect for their governments, of course aside from the expected and accepted fantasy promises during campaigns. We expect our governments to institute policies which provide for the needs of all our citizens. Canada is a country that is concerned with people. In Canada we believe it is our duty to help those who are less fortunate. This government is taking us away from that direction.

Governments in other countries have used the big lie — I don't need to tell you which ones they've been — to implement undemocratic reforms. History shows that if a government tells the big lie loud enough, long enough and often enough, people will accept it as the truth. To quote Michele Landsberg from the Sunday Star, writing about parents raising children, she states, "To exploit their anxieties by feeding them a constant drone of deliberate lies, as Harris does, is unspeakably low."

The Conservative government in Ontario is bashing education and teachers with the big lie. The government has used this technique to convince citizens that educational services are broken and drastic changes are required to fix the problems. The government has said it so loud and so often that not only do the parents believe it, but now the government believes its own lies.

The reality is that this government is reallocating Ontario's wealth and concentrating it in the hands of corporations and the wealthy. The government is removing services from the majority of citizens in Ontario in order to give tax breaks to corporations and the wealthiest among us.

A quick study of our neighbours to the south reveals that where money rules and people are not valued, chaos prevails. When the youth of the nation cannot afford a quality education, hopelessness arises. The youth become disillusioned and hostile to the establishment. Since society obviously does not value them, they value neither themselves nor society.

That crime and violence are rampant in inner-city settings is not surprising. By making possible the establishment of a two-tiered education system and making opportunities available only to those with the money to pay, we are condemning ourselves to a more violent, less productive society. Although business may save a few tax dollars now, the lack of educated, flexible workers will impair their future competitiveness. This fixation upon the tax dollar at the expense of people is dooming our youth to despair and our country to mediocrity.

Past actions of this government have not made education more efficient or more effective. They have merely taken badly needed finances away from the children in order to finance the tax cut. The reorganizing of school boards will not improve education, but again is part of a scheme to transfer tax dollars to the rich. The Minister of Education and Training said he would create a crisis in education, and obviously he has succeeded beyond even his wildest dreams.

The government continues to misdirect the public with a media blitz to convince the citizenry that Bill 160 is

required to produce improvements in our education system. Every program that this government has brought forward that might improve the quality of education has been implemented without Bill 160. All the real improvements in curriculum and teaching practices can be done without Bill 160.

The only purposes of Bill 160, other than a few insignificant housekeeping items, are clearly to allow this government to eliminate legally negotiated collective agreements, to allow this government to remove thousands of teachers from the education system and to allow this government to destroy public education. This will make public education a substandard system for those who cannot afford a private school for their children.

I believe there are some principles education should adhere to. Our teachers are committed to the highest possible achievement for our students. Our teachers are committed to a universally accessible public education system able to provide the best education in Canada. School boards must maintain their constitutional right to tax and to remain partners in educational decision-making and to ensure quality education programs.

Teaching is a profession, and every teacher in a classroom must be a duly recognized and certificated teacher. It is a fundamental right in a democratic society for employees to be able to negotiate all the terms and conditions of work with their employer. The provisions of freely negotiated collective agreements must be respected. Restructuring must be for the benefit of the students. Necessary transitions must be smooth, providing the necessary conditions for teachers to teach and students to learn.

Since Bill 160 meets none of these criteria, I would ask that you remove it. Thank you for this opportunity.

The Chair: Mr Green, we have about a minute and a half per caucus for questions.

Mrs McLeod: Jim, let's assume that Bill 160 goes through and the government in cabinet is empowered to make decisions setting class size. I'm just going to take that one issue, because there are a lot of people who are concerned about large class sizes who think that if the government took this power, it might result in smaller class sizes. So I'd like you to comment on, "We can't trust the teachers and the trustees to deal with class size."

Secondly, I don't want it to sound like a riddle, but I just want to put out three facts: that there are going to be 25,000 more students in our school system each year for the next five years, that the government's clear intent is to take thousands of teachers out of the system, as well as \$700 million. How do you deal with a mandated, legislated class size and 25,000 more students, fewer teachers and 700 million fewer dollars?

Mr Green: Unless you're a magician, you can't. I've spent the last 30-odd years negotiating with school boards to reduce class sizes. We fought, we scrapped, we did without other things, but we got the class sizes down. Two successive governments have taken the money and the people out, and now there's a chance to take more. We've never negotiated larger class sizes; only governments have forced them upon us.

Mr Wildman: Jim, it's nice seeing you again. Could you tell me, as a teacher and someone who is dedicated to his students, what has brought teachers to this situation where they would take an action that would disrupt the education of students across the province, an action which has been described by the government as an illegal action and which I'm sure you as a teacher would not have wanted to do?

Mr Green: We have to be good citizens. As you'll read in the *Globe and Mail* on the editorial page every day, it's the duty of a citizen to resist oppressive, wrong legislation. This legislation is wrong. It will hurt our students. It will create a two-tiered system. We will deprive those who don't have wealth of the opportunity to contribute. It's an un-Canadian way to do things. Teachers would never have gone out if we were talking about their salaries, but we're talking about their students. That's what the concern is.

1350

Mr Wayne Wettlaufer (Kitchener): Bonnie Patterson, the president of the Council of Ontario Universities, recently said that she supports the government's goals in the field of education. She said, "I think the idea behind their strategy is to study, understand and then find the specific strategic investments they will make over the next decade to ensure that innovation and knowledge are the cornerstones of this province's wellbeing."

For the last day and a half, I've listened to you and your ilk come forward and quote Michele Landsberg, who is not exactly objective in her thinking.

I will say that I find it offensive that you would come here and tell us we're lying, when the unions have been telling their members that we as a government are bashing teachers, that we as a government are abolishing all teachers' prep time, when in fact all we are trying to do is to bring prep time down to the national average, when in fact we are not going to touch the elementary school teachers' prep time. All we have talked about was the secondary school teachers' prep time.

We have not bashed teachers. In fact, there are numerous instances in Hansard which are a matter of public record of the Premier and the former education minister and our members stating over and over again that we have the best teachers in the world right here in Ontario.

I want to say one thing further. Each and every one of us in our government caucus has, in our circle of friends and in our relatives, teachers. Do you think we are actually going to go out and alienate them? Get with it.

The Chair: Thank you, Mr Wettlaufer. Your time is up.

Mr Green: Lie to me once and I can never trust what you've said. You lied to me; you continue to lie to me. How can I ever trust what you say? You told me you weren't taking the money out, and now your minister has been caught red-handed with Veronica Lacey's contract showing that you're taking the money out. You lie; you lie.

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
FORT FRANCES-RAINY RIVER UNIT

The Chair: Our next presentation is OECTA, Fort Frances-Rainy River, Cathy Brindle.

Mr Wildman: Mr Chair, a point of privilege or perhaps a point of order: If the government hasn't alienated the teachers, why are they all out on the sidewalk?

The Chair: That is not a proper point of privilege.

Ma'am, please proceed with your presentation.

Ms Cathy Brindle: I would like to thank you for the opportunity of speaking here this afternoon. I am here on behalf of the Fort Frances-Rainy River Unit of the Ontario English Catholic Teachers' Association. I represent 42 men and women who are dedicated to providing quality education.

In responding this afternoon to Bill 160, it is important for you to know that we at the local unit are fully supportive of the recommendations in the brief which was presented by our provincial office. My intent today is to highlight some of the issues which will affect the teachers in the Fort Frances-Rainy River district.

The title of Bill 160, the Education Quality Improvement Act, is a contradiction of what is contained within the bill. Bill 160 is not about quality education improvement. This legislation provides the tools that will allow the government to extract many resources out of Ontario's schools. It allows the government to have complete control over key issues in education.

Although the men and women of the Fort Frances unit of OECTA are members of a union, we are first and foremost teachers, and as such have the best interests of our students at heart. It is for that reason that we have chosen to participate in the province-wide political protest. This decision was not entered into lightly and was viewed as a last resort. We have not blindly followed the direction of our union leaders, but have made informed choices.

I received a letter last night from one of my members, a letter to the editor. I'd just like to read part of it.

"I am a mother of three and a teacher of many. Today, I broke with my regular school day routine and participated for the first time ever in a political protest. As I endured the cold and harsh winds, I reflected on several questions: Who allowed me to teach? Who supports me as a teacher? What have I learned as a teacher? And why am I now outside, far away from my classroom? I concluded that I owe many a sincere thank you and that because I care for all children and their future I cannot support the proposed education reforms."

This teacher goes on to thank the separate school board, the parents, children and the people in the community. She then goes on to say: "So you ask me today, where would I rather be? Hands down I would rather be in my classroom with the children. However, my choice is to fight for the long-term interests of all children. I want to show how much I care for them, their education and their future."

Based on past performances, there is little trust in this government. We have been the target of much teacher-bashing. Mr Harris has spent a great deal of money on television commercials and newspaper flyers casting doubt on the competence of teachers and their willingness to do their job. On the contrary, teachers are committed to improving teaching and learning in Ontario.

Bill 160 is not about improving quality in education. Instead, it sets in motion a sense of instability within the system. As teachers, we set high expectations for our students and work to provide them with a supportive, secure environment so that they can work to their full potential. This is difficult to do when teachers themselves are in a state of uncertainty.

Bill 160 gives the Ministry of Education and Training vast authority and discretionary powers. Control over Ontario's educational system will be focused solely in cabinet, which is empowered to write regulations altering every aspect of education. Bill 160 will allow the cabinet to dictate by regulation a wide range of teaching and learning conditions, such as class size, school year, preparation time or other non-teaching time, teacher-pupil instructional time, roles and responsibilities of school administrators, designation of non-teaching positions, prescription of minimum qualifications for non-teachers and the right to strike.

Bill 160 will allow the cabinet to change all of the above without consultation, debate or discussion. If this act passes in its current form, cabinet will bypass the normal democratic process and impose its will without reference to the Legislature.

Because of the generality of the bill, the teachers in the Fort Frances area are concerned because we have seen the actions this government has taken in the past. We have seen our class sizes increase over the past number of years. Bill 160 empowers the Lieutenant Governor in Council to make regulations governing the size of classes. However, the provision does not use the terms "reduce," "lower," "maximum" or even "maintain."

The Fort Frances-Rainy River district separate school board has made cuts to senior administration and has eliminated all coordinator positions. In one of our schools, the principal has teaching duties for half of the day. In total, our board employs three teachers to work in the special education department. We have three schools; there is one per school. Although these individuals do not have a classroom, they perform duties that must be carried out by teachers, as they are directly responsible for the education of students.

We are worried that as funding is reduced through the centrally controlled allocation model, we will be well on our way to winning the race to the bottom. As dedicated teachers, we care about the education of our students and we are concerned that the board would potentially have to depend on the use of unqualified instructors in order to address any monetary problems. Such an erosion to quality education is unconscionable. Our children deserve the best. Teachers have the necessary training and education to provide the best programs possible. To consider em-

ploying non-teachers for the care and custody of the future of our province is an affront to parents.

Bill 160 empowers the Lieutenant Governor in Council to make regulations fixing the minimum amount of time during which a teacher must be assigned during the instructional program on a school day. It also limits the amount of time during which a teacher may be assigned responsibilities during the instructional program.

Preparation time for our board is not an expensive perk for the teachers. We are an elementary panel, but we see the effects of not having enough planning time. We currently have 100 minutes per week, which translates to 20 minutes a day, and it's available for us to perform a myriad of classroom-related activities.

1400

Teachers are bombarded with larger class sizes, new curriculum initiatives, ongoing changes in technology and an increasing number of social issues faced by our youth. Because we are proud of the job we do and wish to provide an enriched program for our students, many hours are spent outside the classroom on extracurricular activities. Many activities take place in the evenings and on weekends. This has all been provided on a volunteer basis, and there has never been a shortage of these extra activities for students. If the government makes many of the changes they are proposing, teachers will be forced to work to the prescribed school day. The government will in effect be removing our ability to volunteer and go the extra mile for our students that we currently do voluntarily.

In conclusion, I would like to reiterate that the teachers of the Fort Frances unit of OECTA are committed to continue providing quality education for our students. We are united in our desire to fight for the long-term interests of our students. We care about them, their education and their future. We believe that Bill 160 will not improve the quality of education. The real objective of Bill 160 is to take control of the education system and to extract further money from education. Thank you.

The Chair: Thank you, Ms Brindle. There's less than a minute to go. Therefore, is there anything more that you wish to present to the committee?

Ms Brindle: No, thank you.

The Chair: Thank you very much for your presentation here this afternoon.

KAREN CRANE

The Chair: Our next presentation, Karen Crane. Good afternoon, Ms Crane.

Ms Karen Crane: Good afternoon, members of the committee. I make this presentation as a private citizen and taxpayer. I speak as a single parent, having raised three sons, now in their 20s, whom to date this current system of education has failed considerably.

My opening remarks quote the editorial of the *Globe and Mail*, October 20, 1997, in reference to Paul Martin's financial address to the country: "By any measure, education is key to a prosperous future. This was driven home last week by a painful Conference Board of Canada study

documenting Canada's poor productivity performance relative to our main competitors. Education is a major factor contributing to this decline. If we don't do better, we get poorer.... Today's quasi-monopolistic public education system stifles innovations and serves the interests of those in charge, not the interests of the students."

Canadian Business Technology, September 11, 1997, page 48, states: "Ontario, the largest and richest province in the country, typically records disappointing marks. Ontario students actually finished below the world average on the third international math and science study tests."

The Education Quality Improvement Act, 1997, addresses these concerns and is another step towards providing students with the highest-quality education in Canada in the most cost-effective manner. The recent report of the Education Improvement Commission has recommended limiting class size and having teachers spend more time in the classroom and increasing student instructional time. Regulation-making powers in the Education Quality Improvement Act, 1997, would give the government the ability to act on these recommendations.

Union rhetoric continues to attack this bill with a media onslaught of misguided information. One editorial from the *Thunder Bay Post*, October 21, 1997, from the teachers of the Thunder Bay separate system, reads: "Teachers from Ontario are compelled to withdraw their services to protest a government that is planning changes to education that will be detrimental to the children of this province. Bill 160 is about saving money, with little or no thought to the long- and short-term effects of these changes on its children."

By sharp contrast, a quote from authors Foot and Stoffman in *Boom, Bust and Echo*, page 150, gives the fundamentals in contradiction to this argument. It reads: "A Statistics Canada study confirmed that our failure to adapt to the demographic change is the reason we have one of the world's most expensive education systems. The study found that the education workforce comprising teachers and administrators grew by 20% between 1971 and 1991, while the school-aged population was dropping by nearly that much, from 5.9 million to 4.9 million. In 1991, Canada spent \$33.6 billion on elementary and high school education, a staggering \$7.4 billion more than would have been spent had the ratio of students to teachers and administrators stayed at the 1971 level."

I concur that this bill is, in part, about money: the excessive lack of flexibility and disparities of funding that are allowed to continue with the present system of educational bureaucracy which clearly is averse to change.

Another area of concern is the lack of technological expertise, as it flies in the face of the conventional wisdom that an education for the 21st century requires a good grounding in computers. "Teachers must be properly trained to integrate technology into the curriculum." *Times Magazine*, October 20, 1997, pages 51 and 52.

With our shrinking resources, Bill 160 would allow the availability of teachers to concentrate on the core curriculum while other aspects of learning can be addressed

to reflect the balance necessary in promoting excellence in achievement.

Maclean's magazine, May 20, 1996 issue on *Brave New Schools*: "At the same time, teachers report that they feel less like teachers than emotional baggage handlers or crowd control officers. Teachers report that the fallout from that high-pressure, downsizing world lands at their feet every day: students with short attention spans and even shorter fuses, many of them sceptical about the rewards of hard work in a time of crashing expectations. Studies now show that between 25% and 40% of children are starting school with at least one identifiable learning difficulty or significant behavioural problem, from dyslexia to attention deficit disorder."

Says Dan Keating, director of the human development program at the Canadian Institute for Advanced Research, an organization that analyzes obstacles to social and economic development: "It is not at all clear that schools as we know them are in a position to cope with what every study shows to be increasing levels of increasingly troubled kids. Meanwhile vast numbers of parents have lost patience with a profession that focuses too little on service and too much on the paycheques and perks of its members. Who else, they ask, can make up to \$65,000 working nine months of the year?"

Confronted by a litany of teachers' complaints, they have a simple response: "Wake up and smell the 90s." More than ever, they are frustrated with a system in which they feel patronized and stonewalled on a raft of issues, from the teaching of phonics to the destreaming of junior high.

It continues: "Many parents were incensed late last month when the Toronto Teachers' Federation rejected outright a proposal by a city hall task force to open elementary schools one hour earlier, a move that would cut child care needs in the city by 25%. 'The school staff,' said federation president Frances Gladstone, 'was not willing to take it on.'"

Says Mary Margaret Laing, a member of the Ontario Parent Council and mother of three children in the Waterloo school district: "I think teachers need to start taking a look at the world around them. Every other sector is coming up with ways to save money while keeping its focus on the customer. Many teachers seem to be oblivious to that."

"Indeed, so grim is the economic picture that it appears to be propelling a new openness to change, innovation born, at least in part, of financial necessity. We have to accept that governments did not create global competition or the changes that are turning the Canadian family upside down," says Keating. "I think people are finally beginning to accept that these are social and community issues."

"A lot of social issues are ending up at the teacher's desk that don't belong there," says John Bachmann, president of the Waterloo, Ontario based Organization for Quality Education, whose members include parents, teachers, principals and school board trustees from across Canada." Rather than thinking teachers should shoulder all the problems or have a monopoly on the solutions, I think those on all sides are starting to see that it is time to

let the walls down. At the simplest level, that means inviting parents to take a greater role in refitting schools and rethinking their role in a changing world. British Columbia, Alberta, Manitoba, Quebec and Ontario have introduced or passed legislation requiring every school principal to establish parent advisory councils, elected bodies that meet regularly with teachers and administrators."

Bill 160, the proposed Education Quality Improvement Act is the second part of the legislative strategy to ensure the highest quality of education in the most cost-effective manner. These changes are necessary to implement and further the reforms begun in Bill 104, the Fewer School Boards Act, 1997. The purpose of this bill is to ensure a smooth transition to the new forms of school governance, ensure fair and equitable funding for the publicly funded schools and create and efficient bargaining framework. These goals will be accomplished in a manner that respects the constitutional rights of all Ontarians.

Helen Raham, executive director for the Society for the Advancement of Excellence in Education states: "I stumbled across this quote from the Ontario royal commission report, *For Love of Learning*, 1994 issue today, page 11: 'In the schools we envision, by no means would all educators be formally certified teachers and therefore members of the teachers' union. The fancy name for this is decertified staffing. We understand and are sympathetic with the mandate of union to protect the job security and benefits of its members but there is a principle even more overriding than this one. The interests of good teaching and learning must always come first. Most union activists believe in this principle, except when it seems to conflict with their union imperatives.'" But there is a contradiction in their position.

"Teachers came to us in droves to complain that they were impossibly overburdened. We say those burdens would only be lifted if they are shared by the entire community. We say that only through the differentiated staffing can schools fulfil the multiplicity of responsibilities that are reluctantly theirs. It seems to us that the unions cannot have it both ways. They can't complain of overload and then refuse to allow a solution to it.

"We can only hope that the unions cooperate for the good of the students."

1410

Bob Bonisteel, director of Teachers for Excellence in Education quotes in a media release of September 23, 1997: "Parents, taxpayers and many teachers in Ontario realize we pay far too much for a system of education that is producing average to less-than-average graduates on a national and international scale. Our mandate is to focus solely on creating better schools and better teaching methods so that all students are able to learn to the maximum of their ability. With this in mind, we support the proposed legislation being brought forth."

The bureaucratic structure that dominates education in Ontario today must not be allowed to stifle this growth and success of a vision which will breathe new life into the crippling complexities of its current failing system. That vision begins with the passage of Bill 160.

I thank you all for your attention and for the opportunity to address Bill 160.

The Chair: There is only about 30 seconds. Is there any comment? We'll start with Mr Wildman.

Mr Wildman: Thank you very much.

Mr Wettlaufer: Ms Crane, I'd like to thank you very much for your presentation today. Many business people throughout Ontario have been experiencing very much what you have said. I'd like to thank you for saying it again.

Mrs McLeod: Thirty seconds isn't enough time in which to debate the accuracy of the test results, which I wish I had time to do. But the cost increases in education between 1971 and, I think you say, 1991 were due to three primary factors: special education legislation which mandated the boards to provide special education, the introduction of mandated smaller class sizes in grades 1 and 2, and the introduction of junior kindergarten. Are those three areas from which you feel some additional cost should be taken out to control the costs of education?

Ms Crane: Truly, I feel that these could be addressed without taking money out of the system. It's just a reallocation of specific funding to the system which will in essence, yes, bring some money out but evenly distribute and still maintain those services with the proper people in place to do so. I feel that you do not lose by this. I think it can be a definite important aspect in our schools, and I think Bill 160 does address the funding availability for those to remain in place.

The Chair: Thank you very much, Ms Crane, for your presentation here today.

ONTARIO ENGLISH CATHOLIC
TEACHERS' FEDERATION
THUNDER BAY ELEMENTARY UNIT

The Chair: Our next presentation is OECTA, Thunder Bay Elementary Unit. Good afternoon. I would ask you to identify yourselves for the purpose of the record and then proceed with your presentation.

Ms Eleanor Pentick: Good afternoon. My name is Eleanor Pentick, and I am the president of the Thunder Bay Elementary Unit of OECTA. With me today is Margaret Hall, our second vice-president. We represent some 350 teachers who teach in the 19 schools of the Lakehead District Roman Catholic Separate School Board from JK to grade 8.

For the record, we would like to thank you for giving us this opportunity, and we would also like to state that we agree with the contents of the submission made by our provincial OECTA. Our intention today is not to elaborate on their presentation but to elaborate, rather, on two prevailing themes that we observe in Bill 160, and those two themes are the lack of substance to the government's touted claims of improvement and the shift of power from local communities to a few politicians housed in Toronto.

We have examined the 262 pages of Bill 160 from cover to cover more than one time, and we were looking

for references to the improvements the government leads the public to believe are contained in Bill 160, particularly regarding an improved curriculum, provincial testing and standardized report cards and, ladies and gentlemen, we cannot find them. There is no reference in Bill 160 to curriculum; there is no reference in Bill 160 to provincial testing; there is no reference in Bill 160 to standardized report cards.

We have heard the claims of the previous Minister of Education and of the Premier that Bill 160 will improve class size and provide for more teacher-pupil contact time. We looked for this. Did we find anything? Yes, we found references to class size, planning and prep time, length of the school day and the school year, but those references do not set limits of any kind and they do not guarantee improvements. What they do state is that the Minister of Education will have the power to determine the limits, when and how he or she wants to. Now that's powerful, especially when one takes into account that ministers come and go at a current pace of seven in 10 years.

The shift of power: Bill 104 gave the EIC sweeping power to supervise and monitor the actions and control financial expenditures of the new district school boards until the year 2001. In our presentation last March to the standing committee regarding Bill 104, the Fewer School Boards Act, we, like many others across this province, expressed our concern that the decisions of the commission would be binding. As such, they could not be reviewed or questioned by a court. Our boards, in essence, would be temporarily placed into receivership, without any real autonomy or authority. Bill 160 has not only made these powers of the EIC permanent but extends similar powers to the cabinet and to the Minister of Education over a seemingly unlimited number of areas, including the following: the working conditions of teachers and learning conditions of children, the Teaching Profession Act, the use of non-qualified persons as teachers, the right to strike, closure of school boards, closure of schools — it seems anything that the minister deems necessary.

By vesting so much power in the hands of so few, input from the diverse regional, cultural and economic groups of Ontario will be limited. This is of critical concern to the teachers and the communities in the north. Because of distance and because of our small numbers, we will be outside the circle of the Golden Horseshoe. What voice will our parents have, what voice will our boards have, and what voice will our teachers have concerning the education of our children? Who will be there to listen? We believe that this seizure of power from local communities is not only undemocratic but will do nothing to improve education in Ontario.

Our association is adamantly opposed to any attacks on the continuity of program and quality of education in Ontario. We believe that the enactment of Bill 160 attacks both. As teachers in Catholic schools, we are both beneficiaries and advocates of a tradition of social justice. Catholic social teaching has consistently spoken in favour of the poor, the marginalized and the vulnerable, and proclaimed the priority of people over economic systems.

We are proud of our profession and we are proud of the Ontario publicly funded education system which supports these values in our classrooms. We are proud of our profession, which views schools as communities, not as factories, and which views children as persons, not as clients.

We know that further cuts in funding and the loss of local autonomy now held by our school boards in partnership with parents and teachers will do nothing to improve education. Rather, we firmly believe the devastating effects on the children who are entrusted to our care will be felt for years to come. Thank you.

1420

The Chair: Thank you. You've left —

Applause.

The Chair: You're just removing time from their presentation and their time. We have one minute per caucus remaining.

Mr Beaubien: Thank you very much for your presentation. On page 3 you mention that there's a critical concern for teachers up north because of distance, because of small numbers. I happen not to live in the Golden Horseshoe myself. However, in your presentation nowhere do you suggest how we could address the difficulty that these boards are experiencing today. I have heard during the past few days that classes are too large, there are improper books, improper supplies, yet in your presentation you have not made one recommendation. Could you recommend something?

Ms Pentick: Yes, I do have a recommendation: Stop taking money out of education and start putting it back in.

Mr Beaubien: Are you telling me that you're equating quality education to the amount of money we're spending?

Ms Pentick: Absolutely. To a large degree, the amount of money that you put into something is going to give you value. If you keep cutting, if you continue —

The Chair: Our time is up. We must move on to the next —

Interruption.

The Chair: Excuse me. I've asked this audience to behave themselves. For the first time in 25 cities that I've visited, I heard disapproval of a speaker. I've never heard that before and I'm embarrassed for you. I will not put up with that behaviour and I'll just keep recessing, which will mean that we will not be able to hear anyone, because we have a plane to catch. I do not want to do that, but that is what I'll have to do if you continue that type of behaviour. Mr Miclash.

Mr Frank Miclash (Kenora): Thank you for your presentation. This morning I heard something that was quite disturbing to me. It was in a presentation given to us by the Lakehead principals and vice-principals. They indicated to us that the most serious threat facing our local school system at this time was the demoralization of our teaching staff. I just wonder if you could comment on that as a teacher.

Ms Pentick: I would agree that this has been quite the challenge for our teachers locally. It is very difficult to continue to work with your whole heart in it when your heart has been broken. I would tell you that the hearts of

the teachers of this province have been badly wounded. I am amazed and I praise the teachers across this province that they have gone in and acted professionally, continued to do their duty, continued to love their children and provide the care, because it is very difficult to do that when every time you turn on the radio or open a newspaper you see that your own minister, your own government, is saying, "You are not worth the money we spend on you, you are not producing a product" —

The Chair: Thank you, ma'am. We have to move on.

Mr Wildman: Thank you very much for your presentation. The exchange between you and my colleague Mr Beaubien reminded me of Oscar Wilde's comment that there are those who know the price of everything but not the value of anything.

Ms Pentick: I agree with you, sir.

Mr Wildman: I'm just wondering if you could tell us why you think taking an additional \$700 million out of education over and above the cuts that we've already seen will indeed hurt the quality of education for students in the classroom.

Ms Pentick: In the past few years we have had to make substantial cuts within our own board. Because of lack of funds, we've had to cut our family studies and industrial arts programs, our instrumental music. We are down to the bare bones. Our school budgets have been reduced each year for the last three years by 10%. Teachers are buying pens and pencils for the classroom. We do not have paper. We do not have textbooks. Our textbooks are a disgrace.

Mr Wildman: You mean you don't understand that you can improve the system by taking more money out of it?

Ms Pentick: No, I do not understand that.

Mr Wildman: I see.

The Chair: I thank you both for your presentation here today.

FORT FRANCES-RAINY RIVER WOMEN TEACHERS' ASSOCIATION

The Chair: Our next presenters will be the Fort Frances-Rainy River Women Teachers' Association, Ms Sharon Preston. Welcome, Ms Preston.

Ms Sharon Preston: Good afternoon. I'm Sharon Preston, president of the Fort Frances-Rainy River Women Teachers' Association. Thank you for the opportunity to speak to this committee.

Before I get into the text of my presentation, I'd like to interject a personal aside. I sit here proudly as the mother of a daughter attending her chosen course of studies at the University of Alberta. She is currently ranked in the top 25 students out of a class of 300 in her program of studies. That puts her in the top 8% of students from across Canada and other nations. The Ontario education system prepared her well.

I have driven for three and a half hours this morning to be granted 10 minutes of your time. I face the same drive home this afternoon. I have undertaken this endeavour as I

am passionate in my opposition to Bill 160, as are the teachers and many of the community members from our area.

I am here on behalf of 80 women teachers who work in the Fort Frances-Rainy River Board of Education. It is unfortunate that they cannot be here today, but they are walking picket lines in political protest to Bill 160. Many of these ladies are mothers. Most are lifelong students. They are teachers because children are very special to them. All of them are taxpayers and valued members of their communities. Today I am voicing their collective opposition to Bill 160, the Education Quality Improvement Act.

Most of these ladies, for the first time in their lives, are participating in a political protest. They find this omnibus bill, with its all-encompassing legislation, to be so objectionable that they are compelled to stand up and be counted.

The Ontario Teachers' Federation and the affiliates made a comprehensive submission on Bill 160 to the Honourable David Johnson, Minister of Education and Training, on October 20, 1997. The Federation of Women Teachers' Associations of Ontario had submitted a brief to this standing committee on administration of justice on Bill 160 on October 21, 1997. These documents very competently and comprehensively cover our objections and their rationale, as well as recommendations in regard to Bill 160.

As students of history, we are adamantly opposed to Bill 160. The Concise Oxford Dictionary defines "enfranchise" as being invested with municipal rights, especially that of representation in Parliament. Bill 160 disfranchises every parent, student, teacher, taxpayer and community by denying all of them the right to have input into education changes. Giving the government the right to make changes in cabinet by putting many articles in regulations is a legislative lockout of the public. We are, in effect, disfranchised. The representation and freedoms long fought for and hard won through historical struggles are jeopardized by Bill 160.

We pride ourselves in living in a democratic country. By allowing regulations to override legislation, the democratic process is terminated. It is morally and ethically wrong for this government to believe it has the right to think for us. We are intelligent, educated and experienced people. We want honest and open debate.

We are advocates for children and public education. Quality education is a universal right. Bill 160 erodes that right. Bill 160 will not improve public education. It is a vehicle to destroy it.

There is a very real government-precipitated crisis in our Fort Frances-Rainy River board. Constant cutbacks and total disregard for our board's efficiency have really impacted on our schools.

We have grade 3/4 split classes of 31 or more students. We have grade 8 classes of 32-plus students. We have a waiting list for special education. We don't have a gifted program because the needs of those students with learning difficulties must come first.

We have twinned and grouped schools covered by a single principal. Classroom teachers are accepting more and more responsibilities as principals are pulled between schools. We do not have any vice-principals.

While a principal was at a twinned school 45 minutes away, a student was hurt on the playground. The classroom teacher had to stay with the child out on the playground for an hour while waiting for the ambulance. There was no special education teacher, guidance counsellor or school secretary to take over her class. The students had to stay in the classroom on their own.

1430

Forty-minute lunch-hours are, for the major part, in theory only. Teachers are taking shortened lunch breaks so that the school day will not have to be lengthened. Lengthening the school day means children will get on their buses in the dark and return home in the dark. We have junior kindergarten children who have an hour bus ride one way. To save money, our board instituted full-day alternate day junior and senior kindergarten.

We don't have guidance counsellors, music teachers, physical education teachers and teacher-librarians. We have one 0.5 special education consultant for our entire district of approximately 12,000 square kilometres.

Our school secretaries are part-time. Classroom teachers must answer the phone. Some schools have installed answering machines to take calls so that lessons are not interrupted. This solution certainly inhibits schools being responsive to parents.

Government cuts over the past two years have definitely impacted on our classrooms. Bill 160 is a government-designed vehicle to remove a further \$667 million from Ontario's education budget. How is this going to improve education for our children in the Fort Frances-Rainy River board?

Schools will be closed. Bus rides will be even longer for our children in the dark and in harsh weather conditions. Class sizes will increase in classrooms not physically designed to accommodate 30 or more students.

Bill 160 is an enabling act rather than an education improvement act. The bill allows the government to control education so funds can be extracted and diverted to the next phase of the tax cut. We object to children subsidizing a tax rebate.

Now the government is saying that the \$667 million is needed to decrease the deficit. It is interesting that while the onus for decreasing the deficit is given to the education sector — parents, children, teachers and communities — the rich in particular are reaping the benefits of a 30% provincial tax cut.

This government maintains that its goal is higher student achievement which will be attained by removing \$667 million from education through Bill 160. Nonsense. You can't get more for less. A quality education system needs appropriate funding. A high quality education system will not be attained through Bill 160.

In conclusion, I would like to leave this committee with the following questions:

(1) Will you give us a written, point-by-point breakdown as to exactly how Bill 160 will improve the quality of education?

(2) Why hasn't a funding model with a definite dollar amount attached been given to the boards so that informed decisions can be made?

(3) Quebec currently has a centralized education system and is moving towards decentralization. Quebec is saying, "Been there, done that, didn't work." Why has this government introduced, via Bill 160, a centralized education model when Quebec has found through experience that it doesn't work?

Answers to these questions would be greatly appreciated.

The Vice-Chair: Thank you very much.
Interruption.

The Vice-Chair: Please, audience. You've been asked a couple of times not to demonstrate and we expect you would adhere to that.

We have about 30 seconds per caucus, starting with the Liberal caucus.

Mr Miclash: Sharon, I'd just like to thank you for taking the time to come down. You've certainly given the committee a northern perspective in terms of distance. I think your illustration regarding the principal being at one school and that far away and having to leave those children alone for that period of time is a great illustration of what we certainly face on a regular basis here in northern Ontario. In my 30 seconds, I would just like to thank you for making those illustrations.

Mr Wildman: I'd like to thank you for your presentation. It's been raised by government members a number of times and also in a couple of other presentations that have been made to the committee that one of the arguments for centralizing control over expenditures and allocations of funds has been that we could equalize. In other words, boards like yours that have really cut to the bone would benefit from this because there would be money taken out of places like Toronto and Ottawa and it could be distributed to boards like yours. Why don't you support Bill 160 on that basis?

Ms Preston: I think because we don't know the details.

Mr Wildman: Because you don't have the funding formula?

Ms Preston: That's right, exactly.

Mr Wettlaufer: Ms Preston, I've spoken to a number of groups over the last three weeks, including two teachers' groups, and they agree. High school teachers tell us that elementary school pupils are not adequately trained, adequately prepared for high school. University professors and university administrators tell us that the secondary students are not adequately prepared for university. Employers tell us that students from both are not adequately prepared for the work world. We've heard over the last day and a half that there are fewer resources and textbooks and fewer computers over the last couple of years. What I'd like to know is, over the last —

The Vice-Chair: Mr Wettlaufer, you've exhausted your —

Mr Wettlaufer: That's 30 seconds?

The Vice-Chair: It is, according to the clock. Thanks for the presentation.

NORTHWESTERN ONTARIO SMALL BUSINESS ASSOCIATION

The Vice-Chair: The Northwestern Ontario Small Business Association, Doug Guinn.

Mr Doug Guinn: Mark Lawrence is our treasurer and will be presenting our issues.

Mr Mark Lawrence: Good afternoon. At the outset, I would like to thank the committee for allowing us this time to present our views and recommendations to you and hope the information will assist in the implementation of the proposed changes.

The current situation: Our understanding is the present system must be changed and modified, since as it stands we are not getting good value for our money. The system is overloaded on the management side and the power to increase property taxes cannot remain with the boards of education.

As an example, the Thunder Bay boards of education simply raised local property taxes to offset reductions in provincial grants. There was no attempt to reduce costs further and there was little incentive to cut costs when they are in control of their revenue. In fact, despite cuts on the provincial side, more money was spent on education in Ontario in 1997 than in 1996.

Our association tried to make a presentation to the Lakehead board and encountered no end of procedural roadblocks and limitations. As it turned out, our association was one of only two deputations allowed to address this issue and had little impact on the decision to raise property taxes by 4.8%.

After cutting through the rhetoric, we can see this confrontation is about who will manage education costs: the teachers' unions and boards of education or the government. Given the past performance of boards to control costs, is it any wonder the government must set certain parameters?

The proposed changes; impacts on funding: Our view is that the taxing authority has to be removed from the boards, and with the changes to the property tax system under way, it only makes good managerial sense to consolidate the taxing authority with the government and give school boards the needed restrictions to effect cost-cutting measures. Our association was supportive of the legislation to change the property tax system, since it more fairly allocates all operating costs across the tax base, based on assessed value.

Impact on teachers: We have no illusions about the impact of this legislation on teachers and we understand there will be layoffs and fewer hirings, but quite frankly we cannot continue to staff our institutions with extra bodies when the work can be done with fewer people.

The main issue is not whether teachers will have sufficient prep time; moreover, it is whether there will be paid prep time. In all other aspects of life, whether business or personal, unpaid prep time is part of the job.

On the other hand, the government and the school boards must be fully cognizant of the impact various legislation and programs have on the classroom teacher who must deliver these services. They must be aware that implementation of new regulations must be adequately funded, given sufficient time for orientation and transition, and they must monitor implementation and review its impact. If it can be demonstrated that something isn't working, then it should be changed. Teachers should be on the job to do what they were hired for: teach our children. If something is interfering with this process, it has to be changed. We feel that the changes envisioned will give the teachers the support they need to spend their time in the classroom.

Impact on students: Based on our understanding of the changes, students will benefit over time in that more input will be available from parents through the school advisory councils and more money will actually be available for the classroom and the four-year compressed curriculum will coincide with other jurisdictions, both in Canada and elsewhere. We feel they will benefit from a cooperative inclusion of non-teachers in the classroom, people who have real hands-on experience in a variety of fields and who can answer very specific questions and relate real-life aspects of their life work.

1440

Additional time in school will allow a longer time for students to assimilate the ever-burgeoning level of new information coming at them.

Impact on boards of education: As we envision the changes, the boards will be responsible for the ongoing operations of the school facilities and will continue to collectively bargain with the teachers and the unions. They will now have parameters set out with regard to length of the school year, school day, PD days and some other aspects of their job description.

The board will still address all aspects of the collective agreements such as seniority, salaries, class sizes, discipline etc, save for the items mentioned previously. This is an effort to get the boards to perform as administrators.

Impact on taxes and taxpayers: Our members feel that taxes at all levels cause the most hardship for small and medium-sized businesses; however, property taxes and business taxes are the most burdensome. Many of our members have to borrow money or dip into personal funds in order to pay their property taxes and they just can't increase prices to offset the recurrent increases in taxes. Many are forced to close their doors and most are not operating profitably.

Any attempt to reduce and control costs is, in our opinion, necessary and imperative. Our members have to make these cost-cutting decisions every day and are the least able to exert control over their circumstance.

The Conference Board of Canada says Canada is losing ground in the global race to boost productivity, and we are

especially weak in terms of education and training when compared to six other western nations it studied. The US, Japan and Norway are increasing their lead over us, while Germany, Australia and Sweden are catching up.

Business cannot effectively train its people if taxes continue to increase and taxes cannot be lowered if costs such as education cannot be reined in. We feel the interrelation between cost-cutting and reallocation of the education resources that exist is a step in the right direction, given our concerns mentioned previously, and will improve our education system over time.

The Vice-Chair: Thank you very much. We have less than a minute per side, and we start with the NDP.

Mr Wildman: Thank you very much for your presentation. I noted on page 2 you talked about paid prep time. I looked at other professionals, such as lawyers, and I do think they get paid for their prep time. They bill me, anyway.

Having said that, though, I'd like to deal with your concerns about taxing authority and the centralization of control over the education system within the government — the minister and the cabinet at Queen's Park. While I might understand and accept your position, because I suspect you're in support of this government's approach with regard to the taxing authority, don't you have any concerns about what a future government might do if it has complete control over the taxing centrally and you don't have any control locally?

Mr Lawrence: Essentially it would be the same situation. If they chose to increase taxes, we would have to live with it. If they chose to decrease taxes, we'd have to also live with it.

Mr Wildman: But you wouldn't have the same input —

The Vice-Chair: Thank you for that input. To the government side, Mr Wettlaufer, one minute.

Mr Wettlaufer: I'd like to thank you for your presentation. I'm going to continue the question I was going to ask the previous presenter.

We've heard so much that there are fewer resources, fewer textbooks, fewer computers over the last 10 years. We've had a 16% growth in enrolment, we've had a 40% inflation rate, a 39% increase in provincial funding to the school boards, yet we've had a 120% increase in local education taxes. Do you wonder where this money has gone, if it hasn't gone into more resources, textbooks etc?

Mr Lawrence: We have a pretty good idea, since only a few percentage points actually get to the classroom. That aside, I think the per-pupil funding model will probably set aside some of those concerns and bring more money locally, especially in the north.

Mr Gravelle: I'm just curious. There are a number of issues you bring up, but the issue that keeps coming back is, I need to understand better how you feel that taking \$667 million out of the system, which is clearly part of what this bill is all about, in fact maybe one of the more major parts of this bill, is going to improve the educational system. I would presume that as small business owners you want the education system to improve, but it's diffi-

cult to understand how taking teachers out of the system and taking that amount of money out of the system is going to improve and bring better educated graduates to be working for you.

Mr Lawrence: Based on our understanding, it's a situation where the people we have could be spending their time more productively, given the fact that if they can't be there all the time it requires more bodies. Our understanding is that reducing the bodies and therefore the costs won't have that much of an impact if the people who are remaining are still teaching.

The Vice-Chair: That's our time. Thank you for your presentation.

ONTARIO SECONDARY SCHOOL
STUDENTS' ASSOCIATION,
NORTHWESTERN REGION

The Vice-Chair: The next group is OSSSA, northwest region.

Miss Sarah Viehbeck: My name is Sarah Viehbeck and I am the president of the northwestern region of the Ontario Secondary School Students' Association.

It is my understanding that the members of the committee have already received a copy of our provincial report, Ontario Students' Response to Bill 160, from our provincial executive's presentation. In my 10 minutes, I will be touching briefly on the contents of the report, but more specifically on some concerns expressed by the students in my region.

Across the province, students express concerns for the lack of impartial and specific information available with regard to Bill 160 and their anger at being left out. Students felt uninformed, frustrated and confused. There was also a feeling that their needs and opinions were not being considered. For quite some time there had been rumours of a teachers' strike or work stoppage but many students did not truly understand why. Needless to say, Bill 160 was a mystery to students.

In response to this, the OSSSA launched a provincial campaign to inform students of the various viewpoints and to gather their opinions based on the knowledge. The result was our provincial report.

While compiling the results on a regional level, one common thread loomed throughout: There are no specific details to clarify the bill and no regulations to make these things clear. Examples of this are particularly prominent in the issues of limiting class sizes, lengthening the school year, access to specialists and school advisory councils.

Questions arose from students such as: How big will this limited class size be? Will it be bigger than some of our classes are now? How much longer will the school year be? How are high school students supposed to get jobs for the summer to help, in most cases, pay for post-secondary education if we're in school longer? Will these specialists be able to help teach students who have specific learning needs or disabilities? What will the role of

these school advisory councils be? Answers must be provided to these questions.

It is the government's responsibility to inform all people about such legislation, not just parents, not just teachers, not only the general population, but specifically students. This legislation affects them dramatically. Students are the consumers of the education system.

This system is much like a large puzzle, each piece being important. Students too are equally an important piece as the others. Without us, the puzzle is simply incomplete.

Education has traditionally been a partnership in Ontario. This partnership must continue to grow to include all stakeholders — parents, trustees, community members, teachers, non-teaching staff, government members and students — not shrink to include a few cabinet ministers behind closed doors. That is not the way education in this province has been delivered. Local people, including students, want to be able to have a say about education. The education system cannot be run like an industry, where everyone is provided with the same materials in hopes of arriving at the same end product. Many students have special needs and a variety of learning styles.

Since it seems the accountability will be reduced, what is going to happen if this new, improved quality education system does not meet the needs of students? People have to stop telling and start asking students what they need out of the education system. When asked, I'm sure students will be able to provide a wealth of opinion.

A positive step could be the advisory school councils, but there must be more. Students could feel empowered to make a difference in their own schools and these councils would be an excellent channel for the energy of today's students. Students need the opportunity to take a greater role in every aspect of their education. However, students must be effectively and democratically represented on these councils, should they happen. Do not be fooled. Students are concerned about their education.

On Thursday, October 23, the students of my region organized a silent protest. There was full participation from the Thunder Bay secondary schools, and the Nipigon Red Rock District High School also participated. Students wishing to signed their name to a sheet of paper. The papers were then displayed on the front lawns of the schools, each one representing a student's concern for his or her education. They did not want to walk out, thus sacrificing class time to express their concerns. The object of this protest was not to support the teachers or to go against government but simply to show that students do care about —

Failure of sound system.

The committee recessed from 1450 to 1500.

The Vice-Chair: We'll call the hearings back to order. We now have electricity. Without electricity I guess you can see we're a little bit in the dark. Needless to say, we have approximately three minutes and we're starting off with the government side. You have one minute per side.

Mr Smith: Thanks, Sarah, for your presentation. Quickly, I'm just trying to get a sense of the extent to

which you have been consulted or involved by your parent organization provincially. Quite frankly, when I look at the Education Improvement Commission's report, there are some 17 different student groups that were contacted, but very few in the north. Can you give me an idea of how you've shared your information with the Education Improvement Commission, if at all, and how you go about gathering information on northern issues or issues specific to education in general?

Miss Viehbeck: I think the problem is communication. We don't know a lot of what's going on. We have never been invited to give a statement to the Education Improvement Commission. I know the OSSSA provincial has certainly provided some response — I don't know how much — to the education improvement document, but in *The Road Ahead*, the Education Improvement Commission's latest document, no northern students were consulted.

The Vice-Chair: We move now to the Liberal Party.

Mr Gravelle: Thank you, Sarah. That was a great presentation. I think you've brought out some of the details of the bill that aren't there, things that need to be answered or should be answered before it goes into legislation.

I wanted to ask you just one question. Has the OSSSA had regular meetings or some meetings with the Minister of Education in the past? Have they had briefings in the past?

Miss Viehbeck: Yes.

Mr Gravelle: Was Bill 160 ever part of that discussion? Here you have sessions with the minister and one would think there would be an opportunity for the minister to talk about this particular bill and give you an opportunity for consultation. Did that happen?

Miss Viehbeck: Our last meeting with the Minister of Education was just before Bill 160 was introduced and no discussion about Bill 160 was had with our organization. We took up the initiative of writing a report on our own and went based on information from all the different groups and then compiled the common threads.

Mr Gravelle: I'm glad you had a chance to appear.

Mr Wildman: Thank you very much for your presentation. I want to say that in these hearings some of the most eloquent interventions have been from students' groups, and I very much appreciate your presentation.

I have one small disagreement with you, which I've indicated to you already, that is, you said students were an important part of the education system. I would say students are the most important part of the education system.

Having said that, though, basically what you're saying is that you believe, as a representative of students, that the government should be expanding the groups involved in deciding the future of education — students, teachers, parents, trustees — rather than contracting it and putting it in the hands of a few people in Toronto. Isn't that basically what you're saying?

Miss Viehbeck: Absolutely.

The Vice-Chair: Thank you very much for your presentation. I'm sorry for the delay.

ONTARIO PUBLIC SCHOOL TEACHERS' FEDERATION FORT FRANCES-RAINY RIVER DISTRICT

The Vice-Chair: The next group we have is OPSTF, Fort Frances-Rainy River, Allan Holt.

Mr Allan Holt: I'm Allan Holt, president, Fort Frances-Rainy River District, OPSTF. I'm also a parent and, more importantly, I'm a teacher.

Last night, as I sat at home working on this presentation, which you do not have before you because I didn't write one, I said to my wife after numerous attempts at putting down my feelings in words: "I can't do this. I have to speak from the heart." So that's why I'm here. I found it difficult to try and put into words so many different thoughts on what has been happening.

Yesterday as I stood on the picket line with my fellow teachers, I wondered why we were there. Yesterday, at the end of the day, we had a rally in Fort Frances and my daughter was there with me. She's a grade 12 student taking some OAC courses. I said to her afterwards, "Hon, I'm really proud of you that you're out here to support your dad and your teachers." She didn't have to say anything; she just knew.

Where are we going with education? What are we doing to the children? What are we doing to the teachers? I've listened to people give their speeches and they all have valid points. We talk about getting our money's worth. I thought of an analogy as I watched the World Series on Monday night and the money that the Florida Marlins put in to get a winning team. I thought: "Jeez, it would be nice if the government were to spend that kind of money. Think what we could do."

As a teacher, last week I sat in my classroom and during creative writing I prepared my students for a topic of Halloween stories. I read them two different stories. One was called *The Foghorn*, and I had all the lights blanketed in the classroom with just a little light coming through one of the blinds so I could read the story. I had one of the children pretend he was a foghorn, because basically that was what the story was about. It was about a monster, a dinosaur who lived at the bottom of the ocean, 20 miles deep, and he would come every November to the calling of the foghorn. My students really liked that story.

Then I read them another story. It was called *Do You Believe in Ghosts*. Again the lights were low. The kids didn't have to make any noises this time; they just listened too intently.

At the end of the two stories, I said: "Now you're going to work on your own. You're going to have to write a story about Halloween and I want it to be a horror story." I thought how nice it would be to sit back and be able to tell my grade 6 students, "You really don't have to write a horror story because it's already been written." I think you know what I'm referring to.

Last spring I had the opportunity to present a paper in front of our town council and, tongue in cheek, I purposely made reference to Mike Harris and Adolf Hitler. At the end of my presentation, a day or so later, I was soundly

criticized by the editor of the paper. I thought, "Jeez, I wonder if he's true blue," and then I thought it really didn't matter because I had my opinion and my degree was in history. I did study history and I think I learned from it.

I thought, "People fought to be able to say what they wanted to say," and it didn't matter whether it ruffled other people's feathers, just like I listened to people here today. What they said I didn't agree with, but I would sure love to be able to sit down with them and talk to them. I would also love them to be able to stand in my shoes in front of the classroom and feel what it's like to be a teacher and to be vilified from a government, actually from my boss, and to feel what it's like to go to work each day and be told that you can't be trusted to deliver a quality education program.

Remembrance Day is coming on, and I think 126,000 teachers are trying to send a message to this government to remember us.

I've rambled, and I've done this purposely. I would like to end my presentation, because I am a teacher, with a visual note. One thing I do like is that, because I am going bald — I used to have lots of hair when I started teaching — it enables me to take off my sweater and tell this committee that I made up this T-shirt two years ago when Snobelen's toolkit first came out. The picture that you see on it, if you can see it from where you're sitting, is my caricature of Mike Harris and John Snobelen. The other people will be able to see it shortly, but it says, "Harrisment sucks." I'm rather proud of that.

1510

I would like to leave you with this: I also run a grade 8 trip on which I am proud to take students to Toronto each spring to see our provincial government at work and also to enjoy the sights in Toronto. Approximately one day after, June 5 or June 6, 1995, I believe it was, I was walking down Front Street with my students and one of my students said: "Mr Holt, look. It looks like they're interviewing somebody." I said: "Yes, it does. Maybe we should go see if we could be interviewed."

It was CBC, it was the day after the election, and I said, "Are you interviewing people?" They said: "Yes, we are. Would you like to be interviewed?" I said, "Most definitely." They said, "Where are you from, sir?" "My name is Allan Holt. I'm a grade 6 teacher from Fort Frances-Rainy River, Ontario. I hope you know where that is." They said, "Would you care to comment on the election results?" I said, "I'd love to. Yesterday in Fort Frances I went and voted before I caught a plane to come to Toronto. I'm here with 35 of my students, and this is kind of teaching them what government is all about." They said, "How did you vote?" I said, "Well, I didn't vote for the Conservatives and I didn't vote for the NDP and I didn't vote for the Liberals. In fact, I'm rather ashamed that I purposely destroyed my ballot by putting down on it, 'There's not a party or a person worth voting for.' I feel badly that I did that, because for 30 years, given the opportunity, I had voted. I had voted because it's my democratic right and I had voted because I believed that

whoever I voted for would do the best job possible for me, representing me and my children in Toronto."

I want to leave you with this: It is Remembrance Day, and I'm going to leave you with a poppy to remember us. Also, next time I will vote and, you can count on it, I won't be voting for the PCs.

The Vice-Chair: Thank you very much. You've used up your 10 minutes.

ASSOCIATION DES FRANCOPHONES DU NORD-OUEST DE L'ONTARIO

The Vice-Chair: The next group is the association of francophones of northwestern Ontario. If you would give us your name, and please proceed.

M^{me} Denyse Boulanger-Culligan : Mon nom est Denyse Boulanger-Culligan. Je suis l'agente de développement de l'Association des francophones du Nord-Ouest de l'Ontario. Vous avez une copie de notre présentation.

Comme représentante de toute la population francophone de notre territoire, l'Association des francophones du Nord-Ouest de l'Ontario adresse ses remarques sur les parties de cette loi qui nous affectent particulièrement comme citoyens et citoyennes à part égale de l'Ontario.

Les services en français : l'Association des francophones du Nord-Ouest de l'Ontario appuie les sections du projet de loi 160 qui garantissent les droits de la population francophone de la province. Nous nous référons, entre autres, à l'obtention et à la mise en vigueur des points suivants : la gestion scolaire par et pour les francophones, la représentation de la population étudiante sur les conseils, la mise en place de conseils d'école consultatifs, la répartition plus égale des taxes, et l'identification des contribuables catholiques francophones.

Nous accueillons ces changements qui nous sont favorables dans leur ensemble et nous apprécions le fait que notre population ne soit plus mise à l'écart et soit traitée justement dans le système d'éducation de notre province. Nous sommes cependant très conscients des obstacles à cette loi, obstacles qui affectent l'éducation de nos enfants mais qui toutefois ne devraient pas mettre ce projet de loi en péril.

L'acquisition de nos droits nous dicte d'appuyer la reconnaissance des droits de toutes les personnes, et nous exigeons que les droits du personnel enseignant soient respectés selon la Charte canadienne des droits et libertés et la Charte des droits de la personne de l'Ontario. Il nous est difficile d'envisager un gouvernement en pouvoir qui n'agisse pas selon la loi et qui ne respecte pas les droits fondamentaux de ses citoyens et citoyennes.

Au sujet du financement, le gouvernement de l'Ontario doit maintenant s'assurer de nous distribuer l'argent nécessaire nous permettant d'offrir une éducation de langue française qui soit équitable et sans discrimination pour les francophones, et nous recommandons que le modèle de financement soit mis en vigueur dans les plus brefs délais.

L'argent récupéré par la mise en oeuvre de la réforme du système doit être alloué en sa totalité au nouveau

système pour faciliter et accroître l'amélioration de la qualité de l'éducation de nos enfants. Les coupures budgétaires au système d'éducation doivent cesser.

Enseignement : il faut tenir compte de la diversité des régions et des situations ainsi que des attentes spécifiques qui correspondent à la réalité des constituants de la province. Pour les régions désignées et aussi éloignées que la nôtre, il est des plus importants de conserver une certaine autonomie pour agir en tout temps dans l'intérêt de nos enfants ; c'est un objectif primordial. Les décisions prises par un gouvernement à partir de Toronto ne reflètent que rarement les réalités vécues dans les communautés éloignées et isolées d'un grand centre. Dans le but d'améliorer la qualité de l'éducation de nos enfants, nous croyons que le gouvernement ne doit pas s'approprier la gestion des effectifs en enlevant la responsabilité de cette gestion aux conseillers scolaires locaux, et que les conseillers scolaires locaux doivent conserver la responsabilité de l'embauche du personnel.

Mise en oeuvre de la réforme : les changements que le gouvernement propose sont d'une envergure astronomique. La mise en oeuvre de tels changements demande une période prolongée de réflexion et de planification pour éviter que les résultats à court et à long termes occasionnent un déclin plutôt qu'un rehaussement de la qualité d'éducation que nos enfants reçoivent.

Des prononcés politiques ne sont pas suffisants pour que les constituants puissent prendre des décisions averties sur un sujet aussi important que celui-ci. Puisque les parents devront de plus en plus avoir un rôle actif dans l'éducation de leurs enfants, il est raisonnable que les renseignements qu'ils reçoivent soient de plus en plus détaillés et véridiques. La population francophone du nord-ouest de l'Ontario s'attend à devenir partie prenante du système éducationnel, et pour ce faire, elle devra recevoir l'information complète en français. De plus, les élections des conseillers francophones devront se faire en français partout en province.

Nous sommes intéressés à ce que l'éducation de nos enfants se continue sans délai et dans une atmosphère permettant leur épanouissement. Il en revient donc au gouvernement et aux syndicats de travailler ensemble pour enlever les obstacles et minimiser les impacts sur l'éducation de nos enfants en réglant leurs différends sans les tenir en otage. Les générations futures d'enfants et les gouvernements à venir ne pourront que bénéficier d'un processus réfléchi et impartial.

La prochaine page est le mandat et l'historique de l'AFNOO qui nous permet de parler au nom des francophones du nord-ouest de l'Ontario. Merci.

The Vice-Chair: Thank you very much for that presentation. It gives us a couple of minutes per side to ask some questions. We'll start with the Liberal caucus.

M^{me} McLeod : «Les coupures budgétaires au système d'éducation doivent cesser.» Pourriez-vous dire que serait l'effet sur les écoles de langue française d'une réduction de 600 \$ ou 700 \$ millions du budget provincial pour l'éducation ?

M^{me} Boulanger-Culligan : Je m'excuse. Je n'ai pas compris la question. C'est l'impact de 600 \$ millions ou de 700 \$ millions sur — d'enlever cet argent ?

M^{me} McLeod : Oui.

M^{me} Boulanger-Culligan : Cela aurait un impact extraordinaire. Pour commencer, on a des nombres peu élevés. Il n'y a pas beaucoup de jeunes. On a une population minoritaire. Donc, l'effet d'enlever autant de dollars, on peut donner la mort aux services en français.

1520

M^{me} McLeod : Je ne sais pas comment dire ceci en français : Patrick Daly from the separate school trustees' association — and the separate school trustees, as you know, are also most concerned, as we all are, to see greater equity in education finance — said that you cannot achieve equity without adequacy in the financing of education. Je pense que vous êtes d'accord avec ceci ?

M^{me} Boulanger-Culligan : Absolument, oui.

Mr Wildman: Merci beaucoup pour votre présentation. If I could be permitted to ask you a question in English, it seems to me that essentially what you're saying is that you need to know the funding formula so you can assess how the needs of francophone students in the northwest can be properly and adequately met, and that you want the students back in the schools as quickly as possible, which is what I think we all want. Surely it would make sense for us to have the funding formula so we could assess the implications of Bill 160 in a more comprehensive manner. Is that basically your view?

M^{me} Boulanger-Culligan : Well, it would. It would also make sense to give the population in general — je pourrais parler en français ?

M. Wildman : Oui.

M^{me} Boulanger-Culligan : Ça ferait beaucoup de sens aussi que la population en général ait plus d'information, non seulement au sujet du budget mais au sujet des coupures qui s'en viennent peut-être, ou au sujet de tout ce qui va se passer dans la loi. Ce sont des informations qu'on n'a pas, et on ne peut pas faire des décisions averties sans l'information.

M. Beaubien : Bonjour, madame. Hier après-midi M^{me} Groulx, qui est la présidente de l'AEFO élémentaire à Sault Sainte-Marie, nous avait attiré l'attention sur le fait que des petites écoles à l'intérieur d'un territoire anglophone avaient beaucoup de difficultés à réaliser leur but, leur vision. Est-ce que vous avez la même difficulté ici dans le nord-ouest de l'Ontario ?

M^{me} Boulanger-Culligan : Je ne fais pas partie du conseil scolaire ou des écoles comme tels. Je reflète seulement ce que la population pense, et c'est très difficile. Nous avons eu beaucoup de difficulté à voir nos acquis, alors c'est encore très difficile de les garder. C'est une bataille constante pour nous, les francophones. Si on n'a pas un gouvernement qui s'occupe de nous et qui nous donne l'argent équitablement et qui nous donne le support, c'est très difficile pour nous de continuer à opérer les écoles.

M. Beaubien : En ce qui concerne l'équipement dans les classes ici dans le nord-ouest de l'Ontario, est-ce que

vous êtes au courant si on a beaucoup de difficulté à obtenir un bon niveau pour les livres ou bien pour les ordinateurs ?

M^{me} Boulanger-Culligan : Je sais qu'au niveau des ordinateurs, nous sommes très pauvres. C'est la pauvreté totale, ce qui veut dire qu'on n'en a presque pas, et ce qu'on a est très vieux. Alors, j'imagine qu'il y a de la difficulté à avoir beaucoup de ressources à ce niveau-là.

The Vice-Chair: Thank you very much. We appreciate your presentation.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
DISTRICT 29, THUNDER BAY

The Vice-Chair: The next group is OSSTF, District 29, Thunder Bay. Please state your name for Hansard, and you may start.

Ms Arlene Gervis: Arlene Gervis, president of the Ontario Secondary School Teachers' Federation, Thunder Bay Division.

I guess I have to introduce myself as part of that ilk that my colleague Jim Green was referred to this morning. We as teachers, though, pride ourselves in the fact that we try to teach anyone who comes into our classrooms. I would hope that even some of the Conservative Party members were in those classrooms at one time.

We tried to be very tolerant at first, as we would be with all our students, but in trying to figure out why they have gone to such an extent in Bill 160, we're a bit puzzled.

It seems to me that perhaps once they won the election, they had to sit down and see how they were going to keep their promises. They had to, one by one, take on what they considered the union giants. They took on OPSEU, they made changes to WCB, they took on the health care system and now it's our turn.

I can't help but imagine that at first their motives were real, that they were sincere, but I think they perceived the enemy as greater than it was. When they say that their goal is quality education, we can't refute that; that is our goal too. So why are we at war? Why are the teachers out in the streets? Overkill. Bill 160 is overkill.

There are three main points I want to make in my presentation:

First, the transfer of power from local boards and their trustees, along with the control of funding, to the province that is allowed in this legislation poses a danger to democracy that the citizenry does want it to be.

Second, Bill 160 is more a public relations weapon than judicious legislation, because they have declared war.

Third, the monetary goals inherent in, and the pace set for the passage of, Bill 160 pose threats to students and in particular to special needs students.

First I want to point out how I see the government using the public debate over Bill 160 as a weapon that is undermining confidence in the Ontario education system. In order to achieve its end, the government has trodden into

an area heretofore in the history of the human race considered as sacred. As the human species evolved through aeons of history, one trait has remained constant. Those who were of integrity and who could win and maintain the trust of the children and elders became the teachers of the next generation. But in order to give credibility to its agenda, the government has set out to systematically destroy that sacred covenant by strategically forcing the teachers to walk away from their students.

The evidence against the government's policies is damning. Each day more of the diabolical plot is exposed. The pieces of the puzzle are fitting together. Why was there only one copy of Bill 160 available in Thunder Bay, at Brodie Street library, for the parents who have been looking for it?

We know it's true that the Tory leaders wish to create a crisis, to prod the teachers into civil disobedience and then to paint them as opposed to whatever is good for kids. Their million-dollar ads aimed at discrediting the teachers are incredible lies. They imply, for example, that because the government now wants to control class size, the teachers must be in favour of larger classes. Who could ever believe that?

By emphatically saying the government is in favour of more parental involvement, they try to make the public believe that teachers don't want parental involvement. That's the way we succeed with trust in a household.

By advertising the status quo as unacceptable, the government suggests that teachers are against change. Wrong.

By promoting this act as primarily about prep time and length of school year, the government uses the oldest trick of all, the red herring, in an attempt to hide the true agenda.

This kind of ad campaign is sleazy at best and they are attempting to use it as a backdrop in their attempt to pass Bill 160.

Teachers are trained in their craft, and many of us have been practising that craft for a good number of years. Why are we not given the credit by this government for knowing anything about how a classroom works? Must we give pedagogical deference to a government through a bill aimed only at saving money?

One of your Tory supporters, Andrew Horsfield, said this morning that he as well did not want the Conservative Party and this government to make decisions based on money, but on what was good for education.

Can a government be trusted with such broad decision-making powers when they are afraid to deal with funding issues right in the bill? Are they so afraid of the public knowing the truth that they write the bill in such a way that puts the funding model in regulations to appear later? Veronica Lacey's job assignment certainly left that one exposed.

1530

The government has purposely tried to drive wedges between the stakeholders in our children's future by first claiming that the system is broken, when it can be clearly be refuted. The government is tainting its own data, especially when the Premier can brag about our excellent

results internationally and then come home to Ontario and chide us about poor results. That was the excuse the government used for creating this weapon known as Bill 160.

It's the last piece of the puzzle. The more we get into the analysis of the strategies, the more the pattern becomes apparent. The goal? The hidden agenda? Money and power. Bill 160 is the weapon to be used on the unsuspecting populace for the purpose of centralizing control of money and power.

In part I of Bill 160, several subparts are written to amend the Education Act. These parts accommodate the power grab by giving the Lieutenant Governor in Council unprecedented power to make regulations allowing the government to grab whatever money and power it thinks it needs. Also unprecedented is setting the act above challenge.

We in the north live too far away from centralization to relinquish that much power to people who have little appreciation for regional differences. This is a theme we keep coming back to, but it's worth repeating.

Alexis de Tocqueville wrote about centralized power in his treatise on democracy. In essence, he said that those who try to grab power for themselves by centralizing all important decisions eventually render the citizens so dependent on the central power that when the citizenry is given a rare and brief exercise of free choice, important as it may be, the citizens may have "gradually lost the faculties of thinking, feeling and acting for themselves, and thus gradually fall below the level of humanity."

That may seem dramatic if we are only speaking of one aspect of political control, but this government, in its zealous approach to balancing the budget at the same time as promising a tax break, is sacrificing that sacred covenant between a society and its next generation. That sacrifice cannot and should not be measured in dollars.

Not one group representing educational workers, of which we have two bargaining units with OSSTF in Thunder Bay, who deal with special needs children was chosen to present their case at these hearings. In Thunder Bay we have two such employee groups, one with each school board. Only just this morning, after a motion was passed, did they get standing. They will be presenting later.

In the meantime I have prepared a brief comment on their behalf. I would like, as their president as well, to underscore their issues. They have grave concerns about the children who are lost when governments move too fast with such sweeping legislation. Their presentation will be most articulate, but I want to quote a couple of paragraphs from it that are important enough to be heard twice.

Bill 160 provides that there will be "direct impact on those students whose needs are greatest, but provide the biggest challenge to the system.... These students need qualified teachers who have time to prepare with us, the special support people, in order to provide specialized programs; they need qualified co-op teachers who help them take part in community job-seeking to prepare them for the real world of work; they need trained classroom support to help them succeed to the best of their abilities

in academic classrooms, and they need qualified music, art and drama teachers to help them find meaning in their lives.

"Funding cuts have already made us close our special vocational schools and close special needs classes where our students could learn basic life skills in an environment that was not threatening to them. We worry about the student who hid in the second-floor washroom for two days because he was mortally embarrassed in a regular class in which he felt stupid and unprepared. We worry about the student who goes hungry all day because he doesn't know how to order lunch in the cafeteria. And we worry about the increase in the number of teens threatening suicide with no one to turn to for help because the supports have been cut.

"Slow down. Don't let these kids fall through the cracks in your haste to provide a tax cut. They have faces. Education is not a commodity — it's about real people."

The Vice-Chair: Thank you very much. You have exhausted your time.

JOAN POWELL

The Vice-Chair: The next group we have is the separate school council, Ms Joan Powell. Go ahead.

Ms Joan Powell: Good afternoon. My name is Joan Powell, and I'm here today to speak on behalf of my three children: Max, who is in grade 4; Martha, a grade 3 pupil; and Sam, who is in grade 2. All my children attend Our Lady of Charity School in Thunder Bay. I'm here to talk to you about what I see happening in their school, as a parent and a school council chair. I mention my children by name because I believe it's important to remind all of us that it is their futures we are discussing when we look at education reform. It is their opportunities, their chances to grow and develop. Indeed, it is the very quality of their lives as adults that we are affecting when we propose changes to the education system in Ontario.

I am a parent who is extremely worried about my children's future, given the proposed education reform contained in Bill 160. First of all, let's be honest. The government calls Bill 160 the Education Quality Improvement Act. "Liar, liar," I am tempted to say. This bill says nothing about improvements to the classrooms of Max, Martha and Sam. This bill is about two things: wrenching power from the teachers and trustees of this province, and carving a huge amount of money out of the education budget.

Back when the hearings on Bill 104 were occurring, John Snobelen told the people of Ontario that there was still fat to be found in school systems, but, he said, any moneys removed from the fatty side of education would be rechannelled into the classrooms of our children. "Fine," we responded. "If you can find any excess, take it. Just be sure that the found money goes directly to the education of our children."

Given the cuts of the past four years, which total over \$1 billion, increased classroom funds are desperately needed to ensure that top-quality programs and materials

are available for Max, Martha and Sam, and their classmates.

Last week we learned that Mike Harris is planning to slice another \$700 million or more from our schools. We also learned that the money is not going to be channelled back into our children's classrooms. It's not going into program development or excellence in teacher training either. In fact, it's not going anywhere in education. It will be taken away from the very students this government has promised to put first and funnelled towards something the government finds more important than the future of our children.

Let me tell you what I know of the current situation in the school that Max, Martha and Sam attend, before Premier Harris takes almost \$1 billion more away from their education. Our Lady of Charity is a beautiful school, a new school, built only four years ago. At first glance, because it is such a physically lovely building, your perception is of a very prosperous school. First impressions can be deceiving.

My children are required to arrive at school in September with essential supplies in tow. Pencils, pens, crayons, markers, rulers, erasers, scissors, binders — all these supplies must be provided by the home, and when the child runs out of something, the parent must go and replace it.

At our school, parent volunteers spend endless hours in fund-raising projects, and what do you suppose we are fund-raising for? For the frills of education, the trips to far-off locations or the excursions to pricey arts events? Not at all. At our school, we are fundraising for the fundamentals: for books and for computers and for basic phys-ed equipment.

1540

At Our Lady of Charity School, the teachers themselves fill their classrooms with equipment and supplies they have purchased with funds taken out of their own pockets. When I was at the school the other day, I saw teachers carrying out boxloads of materials. I asked Mrs Horbow, the kindergarten teacher, what was happening. She told me they were taking their personal belongings home in the event of a teacher walkout. "What personal belongings?" I asked. Mrs Horbow's list of things she had purchased herself included science equipment, an aquarium, puppets and costumes, teacher scissors, coloured markers, a glue gun, a three-hole punch, CDs and records, a rocking chair and tables, scores of books and 10 to 12 Tupperware containers filled with learning materials purchased and developed for her current teaching unit.

With her personal things packed up, her JK room was left almost empty, but of course we know the Harris government doesn't care about JK anyway. Funding for JK has been lost under the current regime. Funny how I remember John Snobelen publicly stating that JK was essential to the optimal development of children and should be universally funded.

If, as a result of yesterday's crippling budget cuts, parents are already fund-raising for books and computers, children are already providing their own school supplies,

and teachers are already opening their own wallets to supplement dwindling classroom funds, what, I wonder, will the classrooms of Max, Martha and Sam look like tomorrow when another \$700 million or more is taken from their education?

Don't tell me that Bill 160 is going to improve the quality of their education. Don't tell me that Our Lady of Charity School is going to provide even better teaching for my children with budgets gutted further still. Don't tell me that Max, Martha and Sam are going to march with confidence and skill into the 21st century without the proper tools or equipment to get them there.

Mike Harris says we can do more with less. As a concerned parent and taxpayer, I'd like to know exactly how much less he thinks our children can do with and exactly how much more our teachers can cope with. This bill does not give us any details. In fact, Bill 160 does the opposite. It tells us that this government is going to give itself unprecedented and unlimited powers to regulate educational change — without our input, without our consent and even without our knowledge.

Do any of us really trust the Harris government, or any government, to make sweeping changes in education without input or consultation with teachers, administrators, trustees or parents?

Other powers given to the government in Bill 160 include determining class size and teacher preparation time, and introducing differentiated staffing. There's no question in my mind that these measures will save money, but what do they have to do with improving the quality of education? Where is the research to support the notion of unqualified instructors improving the education of our children? Why would unqualified individuals do better with Max, Martha and Sam than the highly trained and remarkably dedicated Ms Bird, Miss Dugard and Mrs Scherban who teach them already? It doesn't make sense, unless your only concern is to provide cheaper education. Since when does cheaper mean better? How can paying \$2 billion less for education in Ontario translate into a better education for our children?

Let me say this to taxpayers who see Bill 160 as improving education in our province: Consider that the bill passes and the following scenario occurs in your neighbourhood school next September. Your child is placed in a grade 3/4 class of 35 pupils, six of whom have special needs: One is in a wheelchair, one has autism, two have been diagnosed as having ADHD, and two have learning disabilities. Each of these special pupils requires individualized instruction. The highly experienced grade 3/4 teacher from previous years has been fired without cause and has been replaced by a less expensive faculty of ed graduate who has no teaching experience. Because of the latest budget cuts, there are no special-ed teachers or support personnel left in the school. A local sports hero with no teacher training and no experience working with children has been assigned all the phys-ed classes to plan, instruct and evaluate. He's also required to fill in whenever a classroom teacher is off sick.

The textbooks are worn and outdated and can only be replaced through parent fund-raising, which is also responsible for the purchase of all library books, all computer equipment, all art supplies and notebooks.

You don't like it, you say? Too bad. Too late. Bill 160 will give the Harris government the power to make these and other changes in your child's school, and your local trustees, board administrators, your child's teachers, the school principal and you as a worried parent will have absolutely no recourse.

The Chair: There's only one minute left, Ms Powell.

Ms Powell: Perhaps you think this scenario is too extreme. More extreme than taking \$2 billion out of education in five years? More extreme than replacing your child's teacher with an unqualified worker? More extreme than passing legislation that provides the cabinet with powers more recognizable in a dictatorship than a democracy? Think again, I say.

No one is opposed to education reform. Parents certainly aren't, and in my experience neither are teachers. But let's be honest. Bill 160 isn't about improving the quality of instruction in schools. The real objective of Bill 160 is to take control of the education system and to siphon huge amounts of money from the classrooms of our children.

On behalf of Max, Martha and Sam and all their classmates across this province, I urge the members of the Harris government to rethink the contents of Bill 160. Listen long and listen hard to teachers, trustees, parents and students about the real issues involved in improving the quality of education in Ontario. If there are inefficiencies left in education, by all means remove them, but please put the recovered funds where they rightly belong and where they're so desperately needed: in the classrooms of our children. Thank you.

The Chair: I thank you very much.

Our next presentation will be the Thunder Bay and District Labour Council.

Interruption.

The Chair: There will be a 10-minute recess.

The committee recessed from 1548 to 1558.

THUNDER BAY AND DISTRICT LABOUR COUNCIL

The Chair: The committee will come to order. Our next presentation will be the Thunder Bay and District Labour Council. Welcome, Ms Pan. Please proceed with your presentation.

Ms Evelina Pan: We welcome the opportunity to make this presentation, speaking for the more than 10,000 members representing some 50 local unions of the Thunder Bay and District Labour Council. We hope the standing committee on administration of justice is really prepared to listen and to act on what we have to say. We are aware that hearings are often held to create the illusion of public consultation. In reality, we know that hearings are often a sham.

We would like to strongly protest the lack of notice given for the hearings in Thunder Bay. It's absolutely frightening to think that the government of the largest province in this country is so incapable of even the simplest planning that it cannot give groups more than a few days' notice of hearings on an issue so important to the future of our province. We would say shameful, but it goes beyond shameful into glaring incompetence. In fact, this is only one of the most obvious flaws of the Harris government. There's no thought given to the negative impacts of government actions on people and on our communities.

Bill 160, the Education Quality Improvement Act, is a critically important piece of legislation that will touch the life of every single person in Ontario. This is a bill that is brought to us by a government that doesn't bother to hide its contempt for the men and women who devote their working lives and their volunteer time to improve the quality of life for everyone in the province.

We wish that Bill 160 could assure us that the government is truly interested in improving the quality of education for the children of Ontario, but from what we can tell, the only thing Bill 160 will improve is the health of the purses of Mike Harris's wealthy backers.

1600

Bill 160 is another example of how the Harris government, which was elected by only 40% of Ontarians, thumbs its nasty nose at democracy. Bill 160, along with its companion legislation, Bill 136, the Public Sector Transition Stability Act, has at its core four main purposes: (1) to pay for the Harris government's tax cut for wealthy Ontarians; (2) to prepare for the massive privatization of the public sector, including education and health; (3) to create a downsized, low-wage broader public sector that will function to drag down private sector wages; and (4) to attack the democratic institutions, such as municipal governments, school boards and the union movement, which stand in the way of the government's anti-human policies and which can actively mobilize opposition to these policies.

Bill 160 is a spiteful piece legislation that flies in the face of democracy. If passed, this bill will give the Harris government sweeping dictatorial powers over every aspect of the education system covering school boards, funding, teachers' qualifications, the number of teachers and the time teachers spend with their students. Bill 160 is about transferring education dollars into the Harris tax cut for the rich by eliminating programs, by laying off up to 10,000 teachers, and by replacing teachers who are trained to impart knowledge to others with people who may know their fields of expertise but who aren't qualified to instruct.

This bill targets two areas that stand in the way of the government's assault on education that have absolutely nothing to do with improving the quality of education and everything to do with the Harris attack on democracy. The government wants to take away school board control of a significant part of educational funding and the guarantees negotiated between teachers and the school boards which employ them.

As a labour council, we are extremely concerned about how existing labour practices will be changed by Bill 160, which will severely limit the scope of free collective bargaining. The Harris government wants to use this bill for cabinet appointees, through the so-called Education Improvement Commission, to dictate the outcome of the collective bargaining process.

When the School Boards and Teachers Collective Negotiations Act was legislated in 1975, teachers and school boards were empowered to negotiate any term or condition of employment. The right to bargain staffing, working conditions and job security provisions has been used wisely by those two parties. Bargaining these fundamental issues has enhanced the quality of learning conditions for students across Ontario. We have to remember that teachers' working conditions are, after all, students' learning conditions.

How about reducing class size for starters? It's only common sense. Fewer students per teacher means more quality time for each pupil. Conversely, the larger class sizes that will result from the passage of Bill 160 will result only in overworked teachers. It's only common sense that when people are overworked, the quality of their work suffers. Is this fair to our children? Is this fair to our future?

Bill 160 extends the minister's power to dictate by regulation the wide range of teaching and learning conditions. This power will allow cabinet to change all those conditions without consultation, without debate, without discussion. It's a measure of this government's contempt for democracy and the public. Under the pretext of preventing disruption to the education of our children, Bill 160 gives the government the authority to write a regulation taking away the teachers' right to strike without any debate in the House.

Qualified teachers are the foundation of a quality education system. In the 1970s, qualifications for teachers were changed to require at least a bachelor's degree to attend teachers' college. Why would we in the 1990s lower those standards? Why would we entrust the education of future generations to people not qualified to teach?

As the library technician at Churchill High School here in Thunder Bay, I have seen teachers coming back to school at least a week before the official day-after-Labour-Day start date. They already do this because they're concerned about their students and because they're diligent workers. Why force people to do what they already do?

Bill 160 gives the Minister of Education and Training the authority to write regulations controlling almost every aspect of school board governance. Isn't it more democratic to have school boards run by elected trustees rather than have cabinet and the minister make regulations that don't have to be approved by any elected bodies?

School boards should retain the right over local taxation as the means of funding local education. Bill 160 turns school boards into mere collection agencies for the government. With cabinet having the power to write regulations altering any and every aspect of education, the

government will be able to squeeze billions of dollars out of the system without anyone being able to do a thing about it.

Bill 160 gives the Ministry of Education incredible authoritative and discretionary powers by centralizing decision-making in the hands of government and away from local school boards.

You know, I'd just like to interrupt my own presentation because you have invited us here to present and there's whispering happening over here. I can't see how they can listen and whisper at the same time. But nevertheless, I'll carry on.

With no local decision-making authority in education —

Mr Beaubien: Excuse me, Mr Chair. On a point of privilege, I think I'm entitled to talk to my fellow colleagues over here. I've been listening to this presenter attentively all afternoon, and for about 30 seconds she catches me talking to my fellow colleague. I think that is a cheap shot on your behalf, for me, for you to point this out.

The Chair: Please continue.

Ms Pan: My pleasure. With no local decision-making authority in education, changes will take place in the education system without any local input or accountability —

Mr Beaubien: That's bullshit.

Ms Pan: I don't appreciate your language. Profane language is not appropriate at any time, in a classroom, in a school or at a public hearing. Amazing.

These discretionary, centralized powers will seriously erode the quality of our education system. Local school boards know best what will work for the children of their communities, not politicians rolling in pension buyouts while they pillage the education system on behalf of the rich.

In closing, we would like to make the point once again that Bill 160 has nothing to do with improving the quality of the education system, but is really an attack on education. It's an attack on the teachers who deliver education to our province's children and on the hopes of future generations of Ontarians.

Real improvement in the quality of the education system has to be based on democracy, on locally elected school boards, and on respect for terms and conditions of employment negotiated through direct and free collective bargaining between school boards and teachers. Real improvement in the quality of the education system has to guarantee that every student in every classroom in Ontario has a qualified, certified teacher. Real improvement in the quality of the education system has to minimize the regulatory control of Queen's Park and its unelected bureaucrats, and reinstate shared decision-making on educational policy so that students and their programs are protected. Real improvement in the quality of the education system has to guarantee that local school boards maintain the financial base required to meet the educational needs of students.

The Thunder Bay and District Labour Council feels that the best thing the Harris government can do for edu-

cation is to keep its dirty hands away from our children. We urge the government to resign or call an election so that the people of Ontario can restore decency and true common sense to the province of Ontario.

I would just like to draw your attention to the final page of our brief, which is unnumbered. It's a resolution that was passed by our labour council at our general meeting on Thursday of last week, passed unanimously in support of the teachers in their political action and against Bill 160.

The Chair: Thank you very much, Ms Pan, for your presentation here this afternoon.

LAKEHEAD BOARD OF EDUCATION

The Chair: Our next presentation is the Lakehead public school board, Suzan Labine. Welcome. I'd ask you as you speak to identify yourself for the purpose of the record, and please proceed.

Ms Suzan Labine: Good afternoon. My name is Suzan Labine and I am chair of the Lakehead Board of Education. I am joined by Cathy Woodbeck, vice-chair, Jim McCuaig, director of education, and Dave Fredrickson, superintendent of education. Thank you for allowing the Lakehead Board of Education 10 minutes to discuss Bill 160. We hope you take this opportunity to listen, discuss and reflect on our comments.

Although titled the Education Quality Improvement Act, Bill 160 has very little in it that will improve the quality of our children's education. This bill, which we believed was originally intended as legislation to facilitate the smooth transition to new amalgamated school boards, has become a rambling piece of legislation that only deals with half the funding model, interferes with current collective bargaining and attempts to minimize the role of trustees. It has created an unprecedented confrontation with teachers that is mired in distrust and acrimony. It will take years to undo the damage.

1610

In a recent comment to the press, the Premier incorrectly stated that the Lakehead Board of Education negotiated an increase in class sizes to give a pay raise to teachers — quite a surprise for the Lakehead Board of Education employees who have not had an increase to their salary grids in six years. Obviously our Premier was given some bad information from his advisers, the very people in whom he has placed his trust.

Due to the time constraints imposed on us, we will focus our attention on a few areas of this legislation.

Bill 160 directly interferes with local contracts that have been bargained in good faith. Bill 160 enables cabinet to impose regulations in areas presently negotiated at the local level. The government seems stunned that teachers, through their federations, are taking historic action over this issue. However, the real issue is that teachers, their federations, boards of education, parents and a growing and significant segment of the general population no longer trust the motives behind several major pieces of

legislation. Does the government have an agenda of privatization? We would have a real interest in knowing.

Ms Cathy Woodbeck: If we may, we would like to indicate what trust and honesty can actually accomplish. The Lakehead Board of Education has negotiated \$5.3 million in annual savings out of its teachers' collective agreements over the past two years. These were intense negotiations. However, they successfully responded to the government cuts and were accomplished because both sides trusted each other to do the very best for our students in a very difficult situation. We are not pleased with these reductions as they negatively impact our classrooms. Increased pupil-teacher ratios, reduced planning time or reduced professional support all impact the quality of learning for children.

Over the past five years the Lakehead Board of Education has had to respond to a 31% or \$16.7-million reduction in provincial grants. This board has negotiated costs out of labour contracts, closed and amalgamated schools, reduced costs in all areas through efficiency gains and reduced operating costs by \$16.2 million.

Ontarians have voiced very strong disapproval regarding the draconian powers Bill 160 places with the minister and cabinet. As many presenters in public hearings before us have stated, this government has consistently used language offensive to democratic principles. We are very troubled by this centralization of control, especially from a government that talked about smaller, decentralized government as the most effective form of government. Legislation by which the minister can bypass the Legislature is absolutely unacceptable. The Canadian parliamentary system of open debate and public voting on issues must be defended.

In this drive for total control, the government now finds itself befuddled in creating a provincial funding model that accommodates Toronto and, at the same time, Longlac. Finding one corporate-commercial mill rate and a common assessment base in a province as large and diverse as Ontario will be a nightmare. The government's inability to table the funding model and the regulation with this bill fuels our distrust. Will a workable model ever be forthcoming?

Ms Labine: It was the ability of the local school board to establish a suitable local mill rate that made the current system function, imperfectly, but function at any rate. School boards across the province are anxiously awaiting this new funding model. Notwithstanding Bill 160, if the province does not fund preparation time, support teachers and special needs children, our most vulnerable, this province will not have a public education system that provides quality or equity of opportunity to the children of our community.

School boards have held the right to tax the properties in their communities since the early 1840s. This ability is a prerequisite to local education governance, local responsiveness and local accountability. It is essential that the province develop and deliver its funding model before the final decision on taxation is made. Again, this bill deals with only one half of the funding model

To be frank, local trustees, teachers, parents and students are very tired of the politics encircling education. We are tired of politicians paying lip-service to improved educational standards without committing to funding remedial programs for those students who don't meet the provincial standards. We are tired of politicians playing word games to avoid funding appropriate classroom supports. If provincial politicians are sincere, and I hope you are, show us the plans to return savings to our students. We are tired of being threatened and we are tired of being distracted from our classrooms by the politics of crisis.

We must be allowed to focus on children and learning, for, you see, teachers, parents, students and our community have placed their trust in us to do so. This is a trust with the people of Thunder Bay we shall not break.

Mr Wildman: Thank you very much for your presentation. I noticed you said you must have the delivery of the funding model before the final decision on taxation. I certainly agree with that. But wouldn't you also agree that it would make common sense to have the funding model and the total amount the government is prepared to spend on education in the classroom before this bill is passed into law?

Ms Labine: We have grave concerns that we don't have any numbers attached to even any proposed funding models. We were sent a proposed funding model for special education that had absolutely no dollars attached to it. We recognize that those are our most vulnerable students, and if that is not the very least that can be provided to boards so we can at least allay those fears. I have big problems with that happening.

Mr Smith: Thank you for your presentation. Many of the other public school boards we heard from made specific recommendations on the role of advisory school councils. Could you quickly give me your position on that issue.

Ms Labine: I am so glad you brought up school councils, because I am so very proud of the presentations that were made by both our school councils and the separate board's school councils, and I hope this panel was listening very carefully.

As far as their role and what's going to be happening is concerned, the government will certainly have a large part to play in defining that role and what it should be. I hope the government listens very strongly to the OISE report on school councils and what that indicated and sees that parents do not want governance, do not want to be trustees, but they do want to have a part in improving education within their own school community.

Mrs McLeod: Thank you for telling us the reality of what happened at the local bargaining table between teachers and trustees. Thank you for making it so clear how hard the Lakehead board, with its teachers, has worked to try and deal with the funding cuts you've already had. It has been made absolutely clear by the Premier that the \$667 million is not to be reinvested in education. I can only assume, in the balance of my 30 seconds, that if those cuts come, it will be absolutely

devastating and you won't find a way of coping the next time.

The Chair: Thank you very much for making a presentation here this afternoon.

1620

MOTHERS FOR EDUCATION

The Chair: Our next presentation is the Mothers for Education. Good afternoon.

Ms Susanne Marquardt: My name is Susanne Marquardt. Beverley Rizzi will also be speaking. Becky Spickett, a student at Westgate Collegiate, joins us as well.

Thank you for giving us the opportunity to share our opinions concerning Bill 160. We understand that many wanted to speak and we feel privileged to be here.

I would like to begin with a letter from another student, Kezia Picard, who is in grade 11 at Hillcrest High School here in Thunder Bay. Kezia writes:

"There are many things I've been noticing at school. The size of my classes is getting larger. There are fewer of our dated textbooks. The computers are obsolete. And I have often encountered math teachers teaching English or phys ed teachers teaching science.

"My school is cold in winter. We do not have enough desks or sports equipment and extracurricular activities are disappearing. I have rarely had a field trip and I have not seen students being taught according to each individual's learning style. It can only be the government who is playing the pivotal role in implementing these changes and all that they continue to do is aggravate these problems.

"An increase in hours will give me, a student, no more time with each teacher. Parent councils could result in a possible two-tiered education system and the end of public education as we know it. I cannot see the merits of standardized testing. How does this help me? Why is money being spent on this excess? This is only what I know of the legislation currently being proposed by the Conservative government.

"I am directly being denied knowledge about the changes and about my education. I will not agree with something I know nothing about and what I do see being done disrupts my learning. I myself have ideas of my own to improve the system, alternatives focusing on learning rather than on finances. To cut back on money is not a reason for change or to jeopardize my education.

"What I see being done is neither progressive nor revolutionary, as the government would have us believe. These acts do not change along with our society but rather move us backwards to a time more archaic. It is my education, yet I was not informed or even consulted. As a student, I demand that my rights are acknowledged.

"Signed,

"Kezia Picard."

Ms Beverley Rizzi: Susanne and I are here today as concerned citizens and personally I'm a frightened parent. What is ahead for our children in these unstable times surrounding education? I think that's a fair question.

I would like to express that we are not pro-teacher and we are not pro-administration. We are, however, pro-education and we are pro-children. We've talked to parents, teachers, students and administrators who feel panic and concern over your plans to push through Bill 160 so quickly. Many feel you're not sharing all the necessary information and many feel you're removing democracy. We agree with them.

Your government has suggested that moneys will be redirected, education equalized across Ontario. You haven't kept your election promises. Northwestern Ontario has paid dearly. Still no funding model and it seems almost funny that you want us to trust you.

Mr Harris, why was it that in New York you could turn around and say Ontario kids were number one, and yet in Canada, here in Ontario, we're nothing? That really bothers me.

Quality, well-rounded education is dying here in the northwest. Its causes are obviously linked to your reforms. If my presentation seems angry, it is because we are angry. When parents wrote you for help, you ignored them. When students cried out, you turned a deaf ear. When board officials tried to communicate errors, you slandered them, and you did. When educators wanted to negotiate, you made negotiations impossible. It is funny that you want us to trust you now.

At Bill 104 your panel appeared bored with our presentation, definitely not interested, and we, as Mothers for Education, were insulted. We're hoping you're listening now.

You must know that we have children in rural areas who travel four or more hours daily just for the privilege of attending high school. You must know that these children are being asked to walk a mile or more to pickup points and overcrowded buses doubled up to save money in 40-below weather and 10-foot snowbanks. Predators such as timber wolves have been known to come into our rural backyards and prey on household pets and yet you condone this when you say our children can walk. I may add, in winter months it's dark when they leave for school and dark when they arrive home.

You claim things are being mismanaged, yet you will not define what mismanagement is. I'm curious to know how much your government has spent on lies and innuendoes with no clear definition of mismanagement. Will you share that information with us today?

Just how many of our tax dollars have been spent in your government's efforts to discredit our current education system? I saw two full-page ads in the newspaper. Even with these hearings alone, you stay in the best hotels, you use the best equipment and still not everyone gets a chance to speak. Don't think it goes unnoticed.

Toronto has no concept of the diversities or the geographics of this area. Toronto is a 16-hour drive from Thunder Bay non-stop. The point being made here is that Toronto did not have 17 feet of snow to move and in Thunder Bay we did. I wonder what our ministry would have said if the Lakehead board had failed to shovel school rooftops and they had caved in? Would you have

labelled them irresponsible or commended them for saving money? The Lakehead board faces a similar crisis this year with our current south ward water problem. Your government ignores these extra costs such as bringing in bottled water and further insults them with accusations of spending too much, too freely, and yet you want us to trust you.

I would like to point out that Bill 160 gives your government total government control, not surprising at all, no local input, and a cabinet that will be accountable to no one. I challenge a government that will allow itself to have such sweeping powers over education. You can change the curriculum, you can change the school day and you can even change the Education Act on a whim. This worries us, especially as now it's publicly known that you're prepared to ignore the recommendations of your own Education Improvement Commission. Even they recommended that you should not take any more money out of education. I do believe I heard \$667 million to come out, on the radio.

That's not the point I'm trying to make here. No government should have this type of power. We could equate you to the days of Julius Caesar: "So let it be written, so let it be done." But that's still not my point.

Imagine, if you will, next election day and you're not re-elected. Bill 160 has already passed. It gives the same power to the next government, allowing them to restructure education again and, let me remind you, with no accountability. Will the future of education consist of total restructuring every few years? It is a fair question and it could happen.

I repeat, no government should have this type of power. I thought we lived in a democracy. Education must be seen as an investment in our future and you, the Tory cabinet, need to be reminded that you get what you pay for. Education needs to be stable and secure. This is hurting our kids now. Your Bill 160 puts our kids at risk and at the total mercy of any government which could give or take at a moment's notice. Anyone in your cabinet who has not considered that fact is a little foolhardy. You must see the serious consequences involved here.

I would also like to point out that this government is about to remove the only tax solely dedicated to children and I really have to ask, when you take this action, what are you saying to the children of Ontario? What are you saying to them?

I'm quick to point out that classrooms are overcrowded in the district of Thunder Bay and they're overcrowded because of a cooperative effort by our board and our teachers to try and keep the necessary programming — not luxuries but necessities. Luxuries like shop, grades 7 and 8 music, home ec, various arts programs, dance and drama, they're gone. Teacher-librarians, they're gone. JK is at risk. Administration was reduced by 40% here and teachers by 5% and you're still willing to claim mismanagement.

Why don't you publicly share your real intentions for special needs children? Tell the families about how you're removing choices. Share your plan to send your specialists

up to Thunder Bay and how you expect these children and their caregivers to travel here from all our outlying areas with no mention of who will cover the expenses. You want us to believe you will include these families in critical decisions regarding their children's future. I don't think so.

It is interesting that in Bill 160, school councils will be mandatory. Their role will be established through regulations and still no details.

I assume this will be left up to your unaccountable cabinet. One is left with a distinct impression that this government is looking for free labour in education. How many raffle tickets and candy bars are parents going to have to sell to continue to provide quality public education in Ontario? Parents volunteer their time generously, but now I think you're asking too much. Some parent councils have already been putting in 30 hours a week and in Calgary they're working for desks and books. We don't want this here in Ontario; we don't want it at all.

We've enclosed constructive points to education because you've been quick to point out to parent groups that they haven't. So take note of them, please.

I would also like to disclose our intentions to ask every parent, grandparent, teacher, student and administrator who is in protest of your Bill 160 to deliver a broken pencil in an envelope with their names and addresses attached to Premier Mike Harris or to their nearest MPP office. This pencil is to symbolize an education system that is at risk and soon to be broken. So there's no mistaking our intentions, this action is in total protest of Bill 160.

The Chair: I thank you very much for your presentation here today.

1630

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
THUNDER BAY SECONDARY UNIT

The Chair: Our next presentation is Don Cattani. Welcome, sir.

Mr Don Cattani: I'd like to begin by thanking the committee and members of all parties for coming to Thunder Bay to hear us and also for giving OECTA secondary, which I represent, one of the open spots and particularly, Mr Chairman, I'd like to thank you for that decision made first thing in the morning.

OECTA secondary represents 170 teachers in Thunder Bay teaching at two composite high school and five section 27 sites. We teach approximately 2,550 students. We are proud employees of the Lakehead District Roman Catholic Separate School Board.

To address Bill 160 in its entirety would be impossible I think in 10 hours, let alone 10 minutes. So we've chosen a few areas to discuss with you. We're going to try to discuss them in as non-partisan way as we can.

The issue of class size: I've been in a lot of discussions over the years about class size. You would expect the

following to be in that discussion: class size maxima, class size minima; allowable percentages above and below those numbers; single-class, school, system-wide averages, which one do you choose; allowable differences in different streams, whether that be advanced, general, basic; special classes — congregated classes, modified basic, gifted, split grades, perhaps a weighted count for exceptional students; even local anomalies — different communities have different needs.

You would expect all of those issues to be a part of any cogent discussion about class size. Section 81 of Bill 160 discusses absolutely none of them. It simply states the minister will have the regulatory power to resolve both class sizes and the method of their determination; later stated in subsection 170.1(1) that school boards must comply with those regulated class size requirements.

To state over and over again, as you do publicly, that this bill deals in any meaningful way with the subject of class size is simply not supportable by the facts. This legislation not only avoids any meaningful discussion of that topic, it precludes local, elected school board officials from the decision-making process of the child's class size.

We would secondly like to discuss the use of non-qualified instructors. The minister would have new regulatory powers under Bill 160, section 81 and section 118, and the Education Act, section 170.1, subsection 262(2) as follows, and I'm going to read them both in the language of the bill and I'll try to simplify them:

(a) The minister can designate any non-teaching positions and prescribe duties and qualifications inherent to these positions. So the minister could say, "These areas will have non-qualified instruction."

(b) The minister can decide that any other teaching position not determined in (a) can be filled by a non-qualified instructor.

What that says is, "Just in case we missed you in (a), it doesn't mean you're going to be a teacher in the rest." The question needs to be asked, why on earth do you need (a)? Save some ink. You only need (b).

The argument that some non-qualified experts would be suitable teacher replacements is not, we believe, a tenable argument. We have heard it said that an expert such as Wayne Gretzky could teach phys ed. We think it equally likely that Clifford Olson could teach criminal justice. As well, Mr Gretzky probably wouldn't accept a base salary of \$30,000 a year for the next 35 years.

How can this government continue to argue that Bill 160 addresses quality, and you do and there's a lot of money spent arguing that, while at the same time seeking to lessen professional standards of the people who teach our kids? How can this government, which introduced the College of Teachers to establish higher professional standards for teachers, award teaching positions to those who don't meet the standards? Could this legislation simply be about the extraction of money from public education rather than about quality education? I leave you with that question.

I'd like to address as well the King Henry VIII clause, a very shocking clause. This clause in Bill 160, section 32,

and the Education Act, subsection 58.3(3), provides as follows: The regulation will prevail in the event of a conflict between that regulation and any statute, any law.

In the normal course of a free society laws are proposed and passed by an elected Legislature and then commented upon by a judiciary. We teach this. Bill 160 bypasses both of these normal, democratic procedures. There is one sole Canadian precedent for this kind of a bill and that would be the federal War Measures Act.

This clause of course is the essence of Bill 160. Indeed, I would say you could tear up the rest and just keep this and it would do everything you want it to do. It's all that you need to perpetrate any condition on the lives and futures of any of our children.

This section of the act is especially repugnant at a time of year when we honour those who gave their lives to defend our tradition of freedom and the rule of law. Any citizen of Ontario who wears a poppy and supports this section of Bill 160 is shaming the memory of those who fought for our laws and freedoms.

One would expect to see language of this type put forward by a dictatorship or a junta, not duly elected members of a western democratic government. This language is shocking and it demands in and of itself civil disobedience.

Applause.

The Chair: Excuse me. This audience behaviour has already put in jeopardy the three last speakers, including the OSSTF, Lakehead separate school board and Don Watson. We are supposed to stop at 5 o'clock; we have a plane to catch. You keep applauding and you keep ignoring it. That's up to you, but you are responsible and I'll leave it to you. You have three minutes more, sir.

Mr Cattani: In closing, I would like to say, particularly to the members of the Conservative caucus — and by the way, you guys are taking all the hits for all of them down there and I at least salute you for showing up and listening to us. Teachers, school boards, parent councils and clergy are almost universally united in their opposition to Bill 160 and it's clear, no matter which poll you read, that about half the citizens of Ontario are supportive of the present protest action. Are they all wrong and are we all just acting in self-interest?

It was the Right Honourable John George Diefenbaker who introduced Canada's first bill of rights and he was a lifelong Conservative. Leslie Frost, John Robarts and Bill Davis, former premiers of this province, combined their conservative beliefs with a true understanding and love of the democratic process. You are part of a proud and honourable tradition in the history of this province, in the history of this country. To defend this legislation and to use little children to justify that defence diminishes you and your beliefs. Will none of you stand up and be counted and will none of you finally say, "Enough"?

Mrs McLeod: Don, I want to take your King Henry VIII clause language and perhaps see if you would accept a rephrasing in even more direct language. Would you say that clause allows the cabinet of this province, with sanction, to break any law it chooses to break?

Mr Cattani: It would appear that it would. Certainly, our lawyers believe it does. In fact, even Conservative lawyers were quite shocked by it.

Mr Wildman: I think anybody who is interested in civil liberties and in the democratic process would be shocked by that language. To allow in a piece of legislation a regulation that would override, not only this legislation but any legislation without any public input or debate, is unacceptable in a democratic society. I agree with your characterization of it completely. Thank you very much for your presentation.

Mr Cattani: Thank you very much, Mr Wildman. I can't say enough how shocking it is to be at this point in my life in a province and country I love and to see our simple civil liberties being threatened by a duly elected government. Surely these guys would learn.

Mr Smith: Thank you very much for your presentation. Your comments on differentiated staffing: I certainly got the point that you presented.

We've had the Royal Commission on Learning, which was established by the previous government. We've established the Education Improvement Commission that made recommendations around supporting such. Recognizing your comments and your position, is there no room to address this issue?

Mr Cattani: Mr Smith, that's a really interesting point. I'd like to answer it in this fashion. Oftentimes when you try to save money provincially, you really do the opposite locally. For instance, if you lengthen the school day, you would kill the triple-routing of busing that happens in Thunder Bay, and our board has saved considerably on that.

Let's say my answer would be to put it all into local control. In some jurisdictions you see technicians in certain areas. Locally we can work that out, and I think that's really the essence of what I would have to say to you. Much like the Lakehead board said earlier, you'll make tough decisions locally to preserve the system you have and to preserve the education for the children. I think that to do it by cabinet fiat is going to create more chaos and, oddly enough, I think it will end up costing more money.

The Chair: Thank you very much for your presentation, sir.

1640

ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS, LAKEHEAD ÉLÉMENTAIRE

The Chair: Our next presenter is the AEFO, Lakehead elementary, Linda Houston. Welcome. Please proceed with your presentation.

M^{me} Linda Houston : Chers membres du comité, je suis ici aujourd'hui comme représentante d'une petite unité francophone. L'AEFO Lakehead élémentaire compte 15 membres. Nous ne sommes cependant pas les plus minoritaires à Thunder Bay, car la section AEFO Lakehead secondaire n'a que six membres.

J'aimerais vous présenter le scénario que nous vivrons si le projet de loi 160 entre en vigueur sans modifications. N'oubliez pas que nous, les francophones, sommes minoritaires ici dans le nord-ouest de l'Ontario, mais nous ne sommes pas les seuls dans cette situation en province. N'importe quelle petite école, francophone ou anglophone, de l'Ontario qui est dans une situation semblable vivra des scénarios semblables.

La loi prévoit remplacer certains membres du personnel enseignant par des gens qui n'auront pas de brevet d'enseignement. Dans une situation minoritaire, ce sont ces programmes, tels que l'éducation physique, la musique et autres, qui font que nous gardons nos effectifs dans nos écoles. Sans ces programmes aménagés par des enseignants qualifiés, nous perdrons des élèves aux autres écoles, celles des sections majoritaires. C'est un fait réel avec lequel nous vivons chaque jour. Les parents exigent une éducation de qualité pour leurs enfants, et nous, comme enseignants, sommes fiers de produire cette éducation de qualité dans notre travail. Si nous ne pouvons plus offrir cette éducation de la plus haute qualité à cause des coupures budgétaires et du projet de loi 160, beaucoup de parents iront chercher ailleurs.

Dans un milieu comme Thunder Bay, il y a peu de professionnels francophones qui oeuvrent dans les domaines que la Loi 160 s'attend à remplacer avec du personnel non qualifié. La plupart de ces gens sont déjà des enseignants. Est-ce que le ministre s'attend à ce que ces personnes travaillent à un salaire réduit parce que leur poste ne sera plus considéré comme celui d'enseignant qualifié, tandis que l'Ordre des enseignants continuera à les reconnaître comme enseignants ? La possibilité réelle, c'est qu'il n'y aura pas de francophones pour se charger de ces matières. Est-ce que ce sera alors des anglophones qui seront chargés des cours d'éducation physique, de musique, de bibliothèque et de tous les autres domaines dans nos écoles dans le budget desquels le ministre décidera qu'il voudra couper encore plus d'argent en éducation ? Est-ce que ces programmes deviendront non existants ?

Les enseignants de salle de classe devront se faire de la traduction. Ça prend beaucoup de nos énergies pour offrir des programmes de qualité en français, et nous en sommes fiers. Les enseignants dans notre école et au secondaire ne veulent pas compromettre l'éducation francophone de qualité. Avec cette loi en vigueur, il ne sera plus possible d'offrir une programmation variée et de haut calibre. Avec un tel scénario, il est garanti que nous perdrons des effectifs.

Dans notre petite unité qui dessert la seule et unique école francophone élémentaire, comptant environ 250 élèves à Thunder Bay, la perte de personnel qualifié veut dire une perte de cinq postes à temps plein ; c'est-à-dire la maternelle, le jardin, que nous offrons à temps plein, l'éducation physique, que nous offrons à chaque jour, la bibliothèque et les arts — arts visuels, arts dramatiques, musique. Le ministre appelle ça une éducation de qualité, quand les élèves perdront probablement tout ça ? C'est une prise de contrôle par un gouvernement qui ne veut pas

se compromettre, qui se fiche de l'input local des parents, des conseils d'école, des conseils scolaires et des enseignants. C'est aussi une façon facile d'éliminer des postes d'enseignants et atteindre un objectif irréalisable : couper 650 \$ millions du budget du ministère de l'Éducation et de la Formation, et dire que l'éducation de nos enfants sera meilleure ?

Les parents vont plutôt s'attendre au contraire. À nul part est-ce qu'il y a une indication que la qualité d'éducation pour les francophones à Thunder Bay et à travers l'Ontario améliorera si tous ces postes disparaîtront. Les indicateurs visent plutôt une détérioration de la haute qualité de l'éducation offerte aux étudiants.

Aux tests provinciaux de la troisième année, les élèves dans notre école ont eu un rendement supérieur à la moyenne de la province. Avec une telle réduction de programmes et d'enseignants, il sera presque impossible d'atteindre ces rendements supérieurs.

La Loi 160 donnera l'autorité au gouvernement d'indiquer les tailles de classes. Rien dit que ces tailles diminueront pour les grandes classes. Rien indique que les petites classes n'augmenteront pas. Avec une perte d'enseignants telle qu'envisagée, les chances sont que les tailles de classes dans notre école augmenteront. C'est la seule manière de garder beaucoup des cours que la Loi 160 entrevoit éliminer. Ce sera aussi l'occasion de perdre encore plus d'effectifs dans une école minoritaire, car les parents iront chercher ailleurs pour une meilleure éducation pour leurs enfants. Ceci est le scénario à l'élémentaire seulement.

L'effet domino fera qu'au secondaire, ce sera la perte d'enseignants et d'étudiants. En perdant un enseignant sur six, il y aura beaucoup de coupures au choix de la programmation et tous les programmes perdus envisageront des pertes supplémentaires d'effectifs. Une perte d'effectif envisagera encore plus de pertes de programmes et d'enseignants, ce qui pourrait facilement devenir la perte d'une école, soit élémentaire, soit secondaire. Est-ce cela une éducation de qualité ?

Pour nous, ces pertes possibles d'étudiants et de programmes sont une réalité que nous vivons, et vivrons toujours. Les programmes déjà de très haute qualité et variés qui sont enseignés par des enseignants qualifiés font que nous sommes des écoles de haute qualité qui, avec leurs besoins uniques, répondent aux besoins des francophones de notre région isolée. Ça, c'est l'éducation de qualité à laquelle les parents s'attendent à ce que leurs enfants auront accès.

La loi prévoit allonger la journée scolaire. Je crois que ce serait un temps important pour que les membres du comité regardent l'heure du lever et du coucher du soleil dans cette région. Ils devraient aussi prendre le temps de voyager les distances que certains de nos élèves voyagent à chaque jour pour jouir d'une éducation de qualité en français. Il y a des élèves de la maternelle et du jardin, ainsi que d'autres niveaux, qui vivent à plus d'une heure d'autobus de l'école. Commencer plus tôt le matin et finir

plus tard en après-midi n'améliorera certainement pas l'éducation de ces élèves.

Leur demander de s'inscrire à une école plus rapprochée n'est pas une option acceptable, car les autres écoles francophones sont à trois heures à l'ouest, c'est-à-dire à Ignace, ou trois heures à l'est : à Geraldton ou à Terrace Bay. Pendant toute l'année, et surtout en hiver, les chemins sont dangereux. On a des animaux de toute sorte sur nos chemins et les conditions de voyage peuvent changer plusieurs fois dans moins d'un kilomètre. Le voyage anticipé par ces élèves aura à se faire encore plus tôt et plus tard à chaque jour que maintenant, et encore en pleine noirceur, aller et retour, pendant plus de huit mois. Expliquez-moi comment cela améliorera la qualité de l'éducation de nos enfants.

La loi prévoit aussi assigner des activités parascolaires à tous les enseignants, en tout cas à ceux qui auront encore un poste en éducation. Le ministre n'a pas pensé aux écoles qui sont presque exclusivement remplies d'étudiants arrivant en autobus. Dans notre école de 244 élèves, nous avons deux élèves qui ne prennent pas l'autobus. Tous les autres arrivent à l'école en autobus, ce qui est un fait pour beaucoup de petites écoles, et encore plus pour les écoles francophones. Alors, est-ce que ceci voudra dire que les étudiants seront obligés de rester après les classes, qui termineront plus tard en après-midi, et que les parents de ces étudiants deviendront des chauffeurs ? Ou bien, est-ce que les compagnies d'autobus assigneront leurs autobus à partir plus tard ? Encore une fois, la loi n'a pas de considération pour les conditions des écoles minoritaires et des écoles isolées.

Ne dites pas, «Faites ces activités à l'heure du dîner,» à moins que vous ne vouliez pas que les élèves et les enseignants dînent. Dans notre école, le dîner est de 45 minutes pour accommoder le système de partenariat des autobus avec d'autres écoles. C'est une économie mise en place depuis plusieurs années à cause de coupures budgétaires, et aussi pour assurer que les enfants arrivent à la maison à une heure raisonnable. Je n'expliquerai pas les désavantages du parascolaire avant les heures de classes.

1650

Nos enseignants contribuent déjà beaucoup d'heures supplémentaires pour le parascolaire sans être forcés à le faire. C'est du volontaire qui est beaucoup apprécié par les élèves qui veulent participer et par leurs parents. Pourquoi détruire un système qui fonctionne bien et le remplacer par une main de fer qui ne plie pas ?

Chers membres du comité, l'impact de la Loi 160 est extrême pour les écoles élémentaires et secondaires francophones, ainsi que pour n'importe quelle petite école dans une région isolée. Notre survie, surtout dans les milieux minoritaires, est en danger. Sans certaines modifications à cette loi, les chances de survie sont minimales. Je vous prie de prendre en considération l'envergure des changements et des impacts négatifs que ces changements auront sur les écoles francophones. Je vous prie de prendre en considération l'impact négatif que cette loi aura sur la qualité de l'éducation, qui sera érodée à cause

des décisions prises par un gouvernement qui travaille dans le vide et sans une vraie consultation avec les autres membres qui prennent l'éducation des élèves à coeur.

The Chair: Thank you very much, Ms Houston, for your presentation.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
SESP UNIT, DISTRICT 29, THUNDER BAY

The Chair: Our next presentation will be Sue Smith. Welcome. We have 10 minutes. I would ask you to proceed.

Mrs Sue Smith: My name is Sue Smith. I'm a special education support person. I have brought with me Lynda Kitzen, who is also a special-ed support person; Barb Kucherka, who is a continuing education instructor; and Maureen Wasky, who is a student support person.

On behalf of the special education support staff unit of the Ontario Secondary School Teachers' Federation, District 29, Thunder Bay, and all other educational workers across the province, I would like to thank you for this opportunity to share our views with you on Bill 160.

I would like to take a few minutes to tell you about the employees who are part of the support staff bargaining unit. These members are employed by the Lakehead Board of Education to provide a number of special programs and services in our elementary and secondary schools. We are certified educational workers who work with teachers to provide a wide range of support services to the most vulnerable students in our school system.

The role of the special-ed support person is to be a resource to the teacher and to meet the identified educational needs of the student through modification and delivery of programs to students with exceptionalities. This includes programs that incorporate self-help skills to enable the student to become more socially independent. It is part of the role of a SESP to be responsible for procedures such as the administration of a prescribed medication and to clean catheterization to allow a student to attend school. Integration is also an important role of the SESP, where we help the special needs student cope in different learning environments, both inside and outside the school setting.

SESPs also help other students and school personnel to understand and accept the individuality of students with exceptionalities. The combined expertise brought to our classrooms by teachers and educational support staff such as ours is what results in the quality and safety of our classrooms. As part of a professional team, the teachers and support workers help the most needy students reach their maximum potential.

I can talk about how Bill 160 is going to affect educational workers, but what worries me is how it will affect the students I work with every day. After 20 years in the role of support worker, I feel like the students have become the last focus of attention, and my efforts on their behalf are stretched to the point that they are no longer

effective. The past year has seen significant changes in funding that have led to the deterioration of the services we were able to provide. Bill 160 will further erode these services.

There are many issues at stake in Bill 160, but the ones I want to focus on today as being especially detrimental to our special needs students are the issues of reduced funding, lack of local ability to raise taxes for specific needs, the removal of certified teachers from some classrooms, professional development and preparation time.

Less funding will directly impact those students whose needs are greatest but who provide the biggest challenge to the system. Local boards need to be able to raise funds to develop local programs to meet student needs to ensure resources for assessment, early intervention and sufficient staffing. An essential component of successful integration of special needs students is the teamworking relationship that develops between teacher, administration and support staff. Skilled, consistent employees are essential in those positions. To these children, the development of positive, consistent relationships is critical to success in the school. These may also be the only positive relationships the child may experience in his life.

Students need a safe, caring, responsive and empowering environment to grow and learn. Students need to develop a sense of belonging and ownership. Creation of this environment is the responsibility of all stakeholders, including the community.

Students require an inclusive curriculum that is responsive to a diversity of needs. The instructional and extra-curricular program must ensure that there is equity in terms of access, opportunity and outcome. To develop such a curriculum, teachers require prep time. This time is needed by experienced staff who modify programs so that inclusion is successful. These programs will not be developed without adequate funding to maintain this time.

In the past few years, we have been asked to work with three or more students who had previously been provided with one-to-one support. This change was not made because the students were ready for less support. They didn't suddenly outgrow their disability; it was made because of less funding. Safety, continuity and consistency have to be major factors in any funding model.

In our role as special-ed supports we deal with a wide range of at-risk students. As strong advocates for our students we are very concerned with a system geared to academic scores, grade performance levels and curriculum expectations where our students could quickly become the forgotten students without adequate proactive programs and support services.

Many of the students with general learning difficulties or disabilities and behavioural difficulties can achieve success in school if they are identified early and provided with the necessary supports. These students include those who at any given time are: students, adults and children, who are new Canadians; students who witness or are victims of any form of abuse at home — verbal, physical and/or sexual; students who witness or are substance abusers; students from poor socioeconomic environments;

students from single-parent homes or reconstituted homes; students who are learning-disabled; students who have low self-esteem; students who have physical needs; students who are blind, deaf or hard of hearing; students who have ADHD; students who suffered from low birth weight or foetal alcohol syndrome; students whose basic needs are neglected at home — shelter, food, sleep etc, and the list goes on.

We believe it is essential that the new funding model for education provide boards with substantial funding for these students. These students are a reality in every classroom in Ontario. Meeting their needs while providing a quality education for all is a daily reality for every teacher. If the government is truly committed to a quality education system for all, they must address the needs of our at-risk students by providing funding assessment, counselling, proactive programs and educational workers such as SESP's working in conjunction with the teacher to do so. Included in this is the need for adequate professional development time for both teacher and SESP to receive training in new methodology and ideas from both education professionals and community groups.

Certified teachers are essential to the success of the inclusion of the special needs student. Classroom management is critical, whether the subject is English or computers. The potential destruction of costly technology through inexperience would be inexcusable. Again, safety is an issue where a specially skilled individual may bring knowledge to the gym, but the inability to manage a class could lead to endangering the special needs student.

I worry about the loss of self-esteem of some of my students who will never be able to achieve those skills. It is critical that the public understands that the government's proposal to replace certified teachers with uncertified teachers has nothing to do with quality; it's about money, contracting out jobs and providing the cheapest system possible.

I worry about my students who take part in co-op programs in the community and require support for success. Failure in a job placement means failure when the opportunity arrives for real work in the real world. As mentioned earlier in the presentation by the OSSTF Thunder Bay Division president, it was a student with special needs from my school who hid in a second-floor washroom for two days, being afraid to take part in classes he felt unprepared for.

I worry about students who, because of the forced closure of occupational schools, no longer receive life skills training that was part and parcel of regular classes, such as cosmetology. I worry about the student who goes hungry because he doesn't know how to order lunch in the cafeteria. I worry about the increase in the number of teens threatening suicide, with no one to turn to for help.

The students of Ontario would be better served if the government rededicated itself to making changes to the education system in consultation with the educational community, slowing the process down to ensure adequate time for consultation and implementation and changing the legislation to ensure that local boards continue to have the

power to be effective advocates for the students in their communities. If this is not done, we fear the government intends to create conditions that will lead to the privatization of public education in Ontario and, at the very least, to an education system that is not responsive to the specific needs of its community.

Revisions to Bill 160 must assure the public that this government is truly committed to quality education for all students in Ontario. Thank you.

The Chair: Thank you very much for your presentation this afternoon.

1700

DONALD WATSON

The Chair: Our next presentation is Donald Watson. Welcome, Mr Watson.

Mr Donald Watson: Thank you for the opportunity to speak today. I am retired. When I worked I was involved with computers and change. Although I talk funny, I've been a proud citizen of Thunder Bay for 30 years. In that time, I have never been a member of a union and I'm not a strong supporter of unions. I'm too old to have children in the system, but I have 10 grandchildren. That's why I'm here. My comments are general. Since I was the last person to get an opportunity to speak, I don't have any hand-out.

The education system must change and I commend the government for trying. I believe, as the government states, that it will eventually be possible to cut costs and improve education at the same time. I would rejoice if I came here today to congratulate the government on how well Bill 160 has addressed those issues I'm talking about, but unfortunately not. Although I can give you an A for effort, I have to give you an F minus for execution.

I'd like to talk about a number of critical success factors for change, fairly simple ones, straightforward, and they're in common with some of the things that have been discussed today.

It is very well proven that you cannot cut costs and provide better service at the same time unless you have radical change. You have to have change to the fundamental system processes. You have to have creativity and imagination. You have to have research. It's very hard. Unfortunately, these bill's changes are only incremental. I have heard of nothing that I see as imaginative, creative or original, and since it's centred in cost reduction, it hasn't an ice cube in hell's chance of improving the education system.

What happens when companies cut costs only? They lose customers and eventually they fail. But in the market system, that's fine, because they get replaced by another, healthier company. If our educational system fails, yes, we can have private schools, the rich can be well educated, but there is a reason for public education. There is not enough talent within the children of the rich to manage the future of Ontario. We cannot afford to throw away the talent and the abilities of the rest of the system. You're looking at the economic destruction of Ontario.

Another success factor in change is decentralization. Big companies are breaking into independent units. Small is beautiful. They want to use the imagination of small groups and individuals. Is that what you're doing? You're centralizing control. I'd like to suggest that perhaps this government is as much socialist as Conservative. It wants to nationalize education. You only have to look at Russia to see the long-term devastation of centralization of power.

I'd like to give you a few words and phrases: trust, respect for employees, teamwork, consultation, honesty. All of those things are critical in today's change. If you know what happens to an employee when he's listened to, you will see it is an amazing motivation for good productivity and performance. Is the government listening? Can teachers trust it? Has it consulted with teachers on Bill 160? Does the government show respect for its teachers? I don't think there is anybody in the room who could say anything but no to those questions.

I'd like to give you an analogy. Many of our young couples both work and they put their children in some kind of babysitting service. Imagine them going along to the babysitter and insulting her, making working conditions more difficult, not listening to anything the babysitter says and then perhaps finally taking legal action. Does anyone in this room believe that the babysitter will do a better job of looking after the child? Yet this government believes that its strategies can force teachers to do a better job. That is naïve.

I think that is my major comment about this bill and what I've heard about this bill, that it appears to be embarrassingly naïve. It yearns for bygone days when things were simpler. In the 19th century, little changed in 20 years. A teacher could be fired for not going to church on Sunday. But I have to tell you that world went a long time ago. Life is incredibly complex. The solutions are hard to find in the system. We need to prepare our system not for the 19th century but for the 21st century.

Please put Bill 160 aside. Start working with the teachers, not against them. Look for real solutions. If you do, you will have successes before the next election. People like me will support you. If you don't, people like me will be fighting to stop you doing further damage. Thank you very much.

The Chair: Thank you, sir, for a very interesting presentation here today.

LAKEHEAD DISTRICT ROMAN CATHOLIC SEPARATE SCHOOL BOARD

The Chair: Our next presentation is the Lakehead District Roman Catholic Separate School Board. Good afternoon. It's been a long day and a long wait for yourselves, so I would ask you to proceed when you're comfortable.

Mr Kevin Debnam: Thank you, Mr Chair. My name is Kevin Debnam. I'm the director of education for the

Lakehead Catholic school board. To my left is Joleene Kemp, who is the chair of our school board. We have a third member here but she is not here in person. She will come to life within the context of our script.

Jenny is a four-year old. She is a junior kindergarten student in one of our schools. Jenny gets on the bus at 7:50 in the morning. Her bus ride is now longer in the morning and after school because busing has been twinned with another school as a result of cuts to transportation. The bus is full and there is barely room for the packsacks that all the children bring to school.

When she arrives at school, she is in a class of 28 students. The program Jenny takes is offered in a full-day, alternate-day format. The decision was made to save programs in the face of cuts to educational funding. No extra money is available to replace the learning materials which are worn out and depleted due to more frequent use by the children.

When Jenny arrives at school, she quickly enters the gymnasium, where she takes part in the school breakfast program. The program, sponsored by the school in conjunction with a public volunteer group, provides milk and cereal for children who are in need of breakfast each morning.

Jenny is a four-year-old. The children in Jenny's class stay at school over the lunch hour. Unlike many day care centres, the classroom is not really equipped for rest time. The children are under the care of lunch supervisors for an hour and a half each day. Incidentally, the pupil-teacher ratio in Jenny's class is 28 to 1. The pupil-teacher ratio of a day care centre is 8 to 1.

1710

Funds for the purchase of mats or extra activities for the lunch-hour are scarce. Jenny finds the full-day program tiring and, when combined with longer bus rides, comes home fatigued. Some of the children, including Jenny, are bused to day care centres after school. Jenny's day, which begins at 7:30 in the morning, does not end until 5:30 or 6 o'clock in the evening. Jenny is a four-year-old.

Jenny's alternate-day schedule sometimes results in her having long blocks of time with no formal schooling. The concepts introduced one day may not be revisited or reinforced for a period of four to seven days. It is often more difficult for teachers to establish routines and expectations for children.

Jenny's parents must now pay for transportation and other fees associated with extracurricular activities; for example, visits to a local farm or museum. Her school does not have the funds to do so. In today's economic climate, some families find these extra fees to be a burden, particularly as the costs of such activities rise from year to year.

Jenny's parents tell us that changes to education in this province, the new Ontario, have resulted in larger class sizes, longer bus rides to and from school, less individual teacher attention for Jenny, learning situations which inhibit the daily reinforcement of skills and concepts and additional fees for learning activities and supplies. Jenny is a four-year-old and Bill 160 directly impacts her life.

Ms Joleene Kemp: The Lakehead District Roman Catholic Separate School Board would like to take this opportunity to thank the standing committee on administration of justice for the time to make comments with respect to the proposed Bill 160.

Our board has always operated as an agent of change and, under the visionary leadership of the Ontario Catholic School Trustees' Association, provided quality Catholic education for the students of Thunder Bay. This has been evidenced by receipt of a letter from the EIC that your government has put into place that commends our board for the diligence and the fiscal responsibility we have shown in working in a consultative manner with all our staff in order to keep the envelope from growing, but rather to help the envelope become even smaller.

Our board and our schools expect Catholic school graduates to be able to evaluate society with a critical and, even more important, cross-cultural eye. We expect and we demand of our graduates that they develop positive attitudes which motivate them to contribute to the common good of society, a society that cares about the rights and wellbeing of individuals whatever their race, colour, sex or creed. As our Catholic community dictates, we believe that respect for the person as created in God's image is essential for school and for society if we are to succeed.

We direct our remarks to you this afternoon to support the position that has been articulated by the Ontario Catholic School Trustees' Association, of which you have already received a copy, as they did their presentation in Chatham. More specifically we are focusing on three very specific areas because of the very special students we serve.

Mr Debnam: Early childhood education: Our board has long been convinced that a successful start in the early years provides Jenny with a solid foundation upon which to build her educational career. This conviction has led our board to maintain junior kindergarten even in the face of funding cuts. For this reason, we forward the following position:

The board strongly recommends that any money saved through the educational reform package of this government be reinvested through the gradual introduction of early childhood education.

Ms Kemp: It has been, and continues to be, our position that under no circumstances can we support any government reform that unilaterally strips away the rights of the citizens of Ontario. Whether those rights were secured through the legislated framework of the School Boards and Teachers Collective Negotiations Act, an act that lays down fair and workable ground rules for orderly collective bargaining between boards and teachers and lays the foundation for successful negotiations by reasonable people bargaining in good faith, it is in point of fact legislation based on rights, reason and responsibility.

In addition, our board has stated publicly on more than one occasion that it would not support reforms that strip rights entrenched in the Constitution and the Charter of Rights and Freedoms, rights secured to protect Catholic and French first-language education in this province. We continue our unwavering stand on this particular issue.

Therefore we would like this government to remember, in crafting educational reforms, that it do so in a manner that both recognizes and respects constitutional rights. We respectfully request and suggest that it apply the same considerations to those who have secured rights through other legislated frameworks such as the School Boards and Teachers Collective Negotiations Act.

Mr Debnam: As a result, the Lakehead District Roman Catholic Separate School Board takes the following positions relative to rights: the deletion from Bill 160 of regulatory powers which would give the minister authority to determine class size; that relative to differentiated staffing, local school boards continue to determine what is beneficial in their areas. It is our contention that it is they who can more effectively negotiate this matter with the local teacher unit, not Mr Harris. We do not agree that preparation time is best determined by regulation at the provincial level. To us, this goes too far. We believe that within the context of the new funding model, school boards can better deal with this matter at the local level.

Ms Kemp: The role of school councils is very near and dear to our board. School councils in the western educational world have a relatively recent origin and, to date, there is little research to indicate their impact upon education. It is our hope, however, that ultimately they will provide an effective vehicle for encouraging further parental involvement in education and thereby provide further benefit to all our children.

For this reason, we support them as an advisory board and we will continue to work through the annual review policy which our board has to ensure their successful evolution. We believe that it is essential for trustees and school advisory councils to work cooperatively to ensure a balanced view and approach to both local and system needs.

Mr Debnam: Finally, regarding further cuts to education, we strongly recommend that there be no further cuts made to education funding in this province; and further, we recommend that the implementation of the funding model, one that guarantees fulfilment of the minister's promise that Ontario will have no second-class students, proceed without delay.

Ms Kemp: We believe the recommendations we have made today are being reiterated throughout this province. These are the same recommendations that will help our board continue its deep and unshakeable commitment, in this case to our 9,000 students, those students we serve each and every day. It is then, and only then, that Ontario education will be punctuated by excellence and marked by a concern for all the Jennys in everyone's classroom.

The Chair: I thank you both very much for your presentation here today to the committee.

ONTARIO SECONDARY SCHOOL
TEACHERS' FEDERATION,
FORT FRANCES-RAINY RIVER

The Chair: Our last presentation is OSSTF, Fort Frances-Rainy River Division. Good afternoon, sir. If

you'll identify yourself, you may proceed with your presentation.

Mr Andrew Hallikas: My name is Andrew Hallikas. I'm the president of the Fort Frances-Rainy River division of OSSTF. I drove four hours to get here and I thank you for the 10 minutes you're granting me. Then I'll turn around and drive four hours back.

I'd like to speak to you today not as an OSSTF president but as a classroom teacher, which is what I am in my heart. I have been a full-time classroom teacher for the past 24 years, and teaching, to me, is so much more than just an occupation. When things are going well in a lesson, there is a magic that occurs in the interaction between student and teacher that can't be described. The relationship based on mutual trust and caring that develops between a student and a teacher is unique and it's special to all of us in education. This relationship can last a lifetime. I still look forward every day to meeting my students and I give thanks on a daily basis for the great privilege I have been granted in being allowed to teach.

1720

We who teach work with children. You cannot use words that are normally used to describe a factory or a business to describe the diversity and richness of a process that takes place inside a school, words such as "product," "consumer," "user," "client," yet these are exactly the words and this is the type of terminology I keep hearing from this Conservative government in their attempts to reform public education.

In the schools of Ontario we deal with children and we deal in hope and opportunity, inclusion and enlightenment, skills, values, excellence and much, much more. The public school system of Ontario is working; it's not broken. Ontario has the highest secondary graduation rate in Canada and it leads the nation in college and university enrolment. The teachers and trustees of Ontario can be trusted to deliver and do deliver quality education.

I completely agree with Premier Harris when he says that our education system is top-rate, as he describes it to prospective European investors, and I wonder why he is not saying this now when he appears on TV. This is not to say that there's not room for improvement. Of course our system can be improved. Teachers are not afraid of change. Teachers have volunteered to sit on ministry expert panels on high school reform. Teachers have volunteered their expertise for curriculum development. Perhaps this incorporated a firm hired by the government to analyse the public responses to the government's proposals on secondary reform, which indicated that the government's plans were out of touch with the public. At best, only 19% of the responses indicated unconditional support for any proposal, and at worst, 6%.

We believe there will be many changes to schools in future years. OSSTF supports many of these changes, and we have written a detailed document, called Ten Steps to Renewal, as our suggestions for the basis of renewal for our secondary schools. Teachers will support change that is educationally driven and intended to improve conditions for our students, but we will continue to reject politically

driven changes that are intended to destabilize the system in order to concentrate money and power in Queen's Park.

As a teacher, I am totally committed to my students. I care deeply about them as individuals and I care about their performance. In fact, I measure my success by their success. Teaching is one of the caregiving professions. Teachers put their students first. We are not spoiled and incompetent, as Mike Harris is now referring to teachers. We are caring, dedicated, hardworking professionals.

All teachers would rather be in their classrooms with their students than out on a cold picket line, and while we recognize that in the short term any interruption in a child's learning has potential negative effects, we also realize that if Bill 160 passes in its present form, then the negative effect on our students will be far greater and permanent.

To cause 126,000 dedicated teachers to leave their classrooms en masse is a formidable task, yet that is what Conservative government has done. In an unprecedented political protest, every teacher in Ontario, regardless of affiliation, has walked away from their classrooms. Never before in the education history of Canada have teachers been so united in a common cause, and you have to ask yourself why.

Gerald Caplan, co-chair of the Royal Commission on Learning, stated in a letter recently, "Teachers have been scapegoated, insulted, undermined, scorned and bad-mouthed by John Snobelen and Mike Harris for two long years now." Caplan goes on to say, "Most teachers I know are shocked to find themselves ready to contemplate strike action, but feel they've been left no alternative." I concur with that.

It's very tempting to agree unequivocally with Mr Caplan, but in fact of late teachers, thanks to the Conservative propaganda machine, have developed pretty thick skins. We are out of our classrooms because we care about our kids.

Bill 160, the inappropriately named the Education Quality Improvement Act, is neither about quality of education nor about improving education. It is about taking power away from local, democratically elected school boards and concentrating it in the cabinet. It's about taking money out of the education system and using it to finance the Conservative government tax cut. Most of the measures in Bill 160 do little or nothing to improve schools.

Since Mr Harris was forced to reveal that the government secretly planned another, I think it was close to, \$700 million in tax cuts in the next year, thanks to the leak of Veronica Lacey's performance contract, people across the province have become aware that this bill is purely and simply a mechanism to give the cabinet the control that is necessary to cut more money from the education budget, and I resent that. These cuts will mean less time and less individual attention for my students. These cuts mean there will be 6,000 or 10,000 fewer teachers. These cuts mean that in order to make the cuts, the government plans on replacing experienced classroom teachers with unqualified people.

Bill 160 changes the traditional balance of power, the necessary balance of power that's provided by school boards, teachers and parents through their local trustee. This bill completely centralizes the education system. Local boards no longer have any power. This bill covers all facets of the education system, and in an omnibus bill like this, usually the legislation is spelled out in specifics. In this bill there are no details. The bill puts the laws into place first, but it doesn't spell out specifically what a minister can do within these laws. It just says changes will be made afterwards through regulations.

Essentially, the government is saying: "Give us all the power now and we'll give you the details later. Just trust us." Well, we don't. We all know that changes made this way will be done behind closed doors. There will be no legislation for the public or the media to react to, no hearings, no laws passed for the democratic process. The net effect of this is that the minister gains total control over the entire education system. We're talking about education here. Why does the Minister of Education need to have such draconian power?

Class size: Contrary to government rhetoric, teachers have never negotiated larger class sizes. I'm a negotiator myself. I can tell you that never once did we negotiate with our board to increase class size. The premise is absurd.

The Common Sense Revolution promised that funding intended for the classroom would be exempt from cuts. After cuts of over \$800 million, the then Minister of Education, John Snobelen, was forced to admit that classroom education was affected. Class size has gone up, and this is certainly not the fault of local boards but rather a direct result of the government's slashing of the education budget and the loss of 6,000 teachers to the system.

Although the government persists in saying that class size must be reduced, and we agree with that, by the way, Bill 160 certainly gives the minister the power to make regulations governing class size, but it does not say in the bill that class size will necessarily be lowered or even capped. It just says that the minister can lower class sizes. It says that the minister can set class size at any level he likes, and if the minister does lower class size, it doesn't say that the minister will necessarily cover the costs. It just could mean cuts elsewhere.

The Royal Commission on Education in 1994 said that teachers are our heroes, but the Harris government has chosen to make them out as villains. The royal commission stated: "For education reform, the enthusiastic co-operation of the classroom teacher is absolutely critical. No policies can be implemented effectively under any other circumstances." Does it look to you like you have the enthusiastic support of teachers? Thank you.

The Chair: I thank you very much for your presentation here today, sir.

This committee is adjourned to 10 o'clock, October 29, 1997, which is tomorrow, at the Westin Hotel in Ottawa.

The committee adjourned at 1729.

CONTENTS

Tuesday 28 October 1997

Education Quality Improvement Act, Bill 160, *Mr David Johnson /*

Loi de 1997 sur l'amélioration de la qualité de l'éducation,

projet de loi 160, <i>M. David Johnson</i>	J-2691
Ontario Federation of Home and School Associations Inc	J-2691
Ms Pat Johansen	
Miss Rita Ubriaco	J-2696
Lakehead Women Teachers' Association	J-2698
Ms Carolyn High	
Canadian Union of Public Employees, Thunder Bay	J-2699
Mr Jules Tupker	
Lakehead Board of Education School Advisory Councils.....	J-2701
Ms Lyn Walter	
Mr John Stephenson	
Ms Connie Hartviksen	
Lakehead (Public) Secondary School Principals' and Vice-Principals' Association.....	J-2703
Mr John Palko	
Ms Charlene Dulacka	
Mr Andrew Horsfield	J-2705
Nipigon-Red Rock District Women Teachers' Association.....	J-2707
Ms Audrey Cormier	
Atikokan OPSTF, OSSTF, OECTA and FWTAO.....	J-2708
Ms Pam Money	
Mr Roger Dolyny	J-2710
Ontario Public School Teachers' Federation, Thunder Bay district	J-2711
Mr Jim Green	
Ontario English Catholic Teachers' Association, Fort Frances-Rainy River unit.....	J-2713
Ms Cathy Brindle	
Ms Karen Crane.....	J-2714
Ontario English Catholic Teachers' Association, Thunder Bay elementary unit.....	J-2716
Ms Eleanor Pentick	
Fort Frances-Rainy River Women Teachers' Association	J-2717
Ms Sharon Preston	
Northwestern Ontario Small Business Association.....	J-2719
Mr Doug Guinn	
Mr Mark Lawrence	
Ontario Secondary School Students' Association, northwestern region	J-2721
Miss Sarah Viehbeck	
Ontario Public School Teachers' Federation, Fort Frances-Rainy River district	J-2722
Mr Allan Holt	
Association des francophones du Nord-Ouest de l'Ontario	J-2723
M ^{me} Denyse Boulanger-Culligan	
Ontario Secondary School Teachers' Federation, District 29, Thunder Bay	J-2725
Ms Arlene Gervis	
Ms Joan Powell	J-2726
Thunder Bay and District Labour Council	J-2728
Ms Evelina Pan	

Continued overleaf

Continued from overleaf

Lakehead Board of Education	J-2730
Ms Suzan Labine	
Ms Cathy Woodbeck	
Mothers for Education.....	J-2731
Ms Susanne Marquardt	
Ms Beverley Rizzi	
Ontario English Catholic Teachers' Association, Thunder Bay secondary unit	J-2733
Mr Don Cattani	
Association des enseignantes et des enseignants franco-ontariens, Lakehead élémentaire	J-2734
M ^{me} Linda Houston	
Ontario Secondary School Teachers' Federation, SESP unit, District 29, Thunder Bay.....	J-2736
Mrs Sue Smith	
Mr Donald Watson	J-2738
Lakehead District Roman Catholic Separate School Board.....	J-2738
Mr Kevin Debnam	
Ms Joleene Kemp	
Ontario Secondary School Teachers' Federation, Fort Frances-Rainy River.....	J-2740
Mr Andrew Hallikas	

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Marcel Beaubien (Lambton PC)
Mr Michael Gravelle (Port Arthur L)
Mrs Lyn McLeod (Fort William L)
Mr Bruce Smith (Middlesex PC)
Mr Wayne Wettlaufer (Kitchener PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Mr Frank Miclash (Kenora L)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Ted Glenn, research officer, Legislative Research Service



ISSN 1180-4343

**Legislative Assembly
of Ontario**First Session, 36th Parliament**Assemblée législative
de l'Ontario**Première session, 36^e législature**Official Report
of Debates
(Hansard)**

Wednesday 29 October 1997

**Journal
des débats
(Hansard)**

Mercredi 29 octobre 1997

**Standing committee on
administration of justice**Education Quality
Improvement Act, 1997**Comité permanent de
l'administration de la justice**Loi de 1997 sur l'amélioration
de la qualité de l'éducation

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICECOMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Wednesday 29 October 1997

Mercredi 29 octobre 1997

The committee met at 0958 in the Westin Hotel, Ottawa.

EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / *Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.*

The Chair (Mr Gerry Martiniuk): Good morning, ladies and gentlemen and members of the committee. This is a sitting of the standing committee on administration of justice and its consideration of Bill 160, the Education Quality Improvement Act, 1997. The committee is pleased to be in the nation's capital.

The committee welcomes Mr Richard Patten, who is the member for Ottawa Centre, and Mr Grandmaître, the member for Ottawa East.

M. Bernard Grandmaître (Ottawa-Est): Bonjour à tout le monde, et soyez les bienvenus à Ottawa. Bienvenu à mon comté d'Ottawa-Est. J'espère que tous les gens, ceux et celles qui vont faire des présentations ce matin, auront l'occasion de s'exprimer ouvertement.

Mr Chair, I'd like to welcome you and the members of the committee to my riding of Ottawa East and especially the capital city of Canada, which is Ottawa. I hope the presenters this morning and this afternoon will have a chance to express their feelings on Bill 160 openly. Let's hope we can walk out of here with more satisfaction than when we walked in.

The Chair: I understand Mr Wildman has a preliminary matter he wishes to raise.

Mr Bud Wildman (Algoma): I have a motion to put based on the information that was in the media this morning. I'll just read it. I have given the clerk a copy.

Whereas the Premier of Ontario has confirmed that the provincial government believes that the total education budget for the province's students can be cut by a further 4% or 5%;

Whereas the Minister of Education and Training has admitted that the provincial Conservatives intend to use money the government siphons from the education system to balance the provincial budget and to finance the promised tax cut for the wealthy;

Whereas both Mr Harris and Mr Johnson have indicated that the total education budget could be reduced by between \$500 million and \$700 million, over and above the \$1 billion already cut from classroom education, once Bill 160 is passed into law; and

Whereas Mr Johnson argues that lower spending does not mean a lower quality of education for Ontario students;

I move that the standing committee on administration of justice request that the Minister of Education and Training table with the committee today the plans that the deputy minister has developed to remove a further \$667 million from the provincial elementary and secondary school systems, with clear explanations of how these savings can be achieved, while programs such as special education for special needs students, music, the arts, physical and health education, library, computer and technology, and early childhood education are maintained and enhanced to meet the needs of all students in urban and rural communities across the province.

I would like to speak to that motion briefly.

This morning in the media the Minister of Education and Training, Mr Johnson, has confirmed that the government intends to remove more moneys from the education system. He argues that this will not harm the quality of education necessarily for Ontario students. He confirms that the moneys to be saved, somewhere in the neighbourhood of \$500 million to \$700 million, will not be reinvested in education for our students but will be used to balance the budget and finance the promised tax cut.

We know that the performance contract for the Deputy Minister of Education and Training stipulates that for 1998-99 a further \$667 million will be removed from elementary and secondary school programs in Ontario and that the deputy minister is charged in that performance contract with developing a plan to achieve those savings.

Since the minister is arguing that the quality of education will not be harmed for Ontario students, and because

we have heard from so many representations — parent groups, students and teachers, as well as trustees — in the hearings we've held across Ontario that programs such as special education, music, arts, drama, physical education, library, computer technology and early childhood education, as well as English as a second language, French as a second language and other programs have been hurt and will be further hurt if moneys are removed from the education system and the numbers of teachers are reduced, it seems we have some contradictory information.

It seems to me that, as a committee charged with studying Bill 160 and making recommendations to the Legislative Assembly for its passage, and any amendments to that legislation, we should have the information the ministry must have that makes it possible for Mr Johnson and Mr Harris to make the statements they've made. We must know how the government will remove about \$700 million from the system while at the same time ensuring that our students get the programs they need, that these programs are of high quality and that the quality of these programs will not be lowered. Obviously the ministry must have this information or Mr Johnson would not be making these statements. Therefore, it seems only reasonable, it only makes common sense that the committee studying Bill 160 would have that information and, frankly, that the public would have that information.

I hope the members of the committee will vote to ask the government, through the parliamentary assistant, to table with us today these plans so that we can have that information as we listen to the representations and determine what changes should be made to Bill 160 to meet the needs of the students of Ontario.

Mrs Lyn McLeod (Fort William): I will certainly be supporting the motion, although I suspect it will meet with the same fate as every other motion that Mr Wildman and I have put before this committee in what is now eight days of public hearings.

It has become very, very apparent, particularly in the last two days, that any work of this committee is irrelevant when put up against the constant statements of the Minister of Education being made in press conferences to the media in Toronto. His statements clearly have a bearing on the concerns that we've heard expressed about this legislation, yet when we have asked repeatedly to get the information that people are asking for about the financing of the so-called reforms that the government pretends this bill is about, we have been absolutely unsuccessful in getting any information provided to this committee or to the public.

What we've had, day in and day out, are statements by the minister about the intent of the government, intentions to change the legislation, but no clarity as to the specifics of how they would make the changes and how those changes would be funded.

It was made clear, as Mr Wildman has said, that the government has conceded not only that they intend to take some \$500 million to \$600 million more out of education as a further net reduction in education, but as Mr Johnson said yesterday, it is not the government's intention to

reinvest this money. Much of this money will indeed be used to balance the budget and to cut income taxes, and I stress it is income taxes to be cut, those that benefit the most well-to-do, because as we know, education taxes for many individuals may well be going up or property taxes going up because of the government's changes.

If you were to do justice in summarizing the presentations that have been made to this committee, I think you would have to acknowledge that the primary concern, not just of teachers but of the parents and of the students who have made representation to this committee, is with the fact that all of the government's talk about reform means nothing if the dollars are not in place. We've heard that from people in the public system, in the separate system, from representatives of separate school trustees who very much want the equity funding that the government has talked about, and we've heard it from the representatives of the francophone teachers who very much wanted to see the changes that would bring about French-language school boards and equity of education opportunity for Franco-Ontarian students but who said to us yesterday that without the dollars, the whole thing becomes a mockery. We are seeing in the press the confirmation that all of the government's talk about reforms becomes a mockery because the dollars will not be there.

I believe it is absolutely unconscionable that this government continues to pretend that the bill we're dealing with today is somehow about quality of education, and that the Premier is on television again with new ads talking about reform of education, saying, "How can any of us disagree with reform?" and talking about curriculum when curriculum has nothing to do with either the confrontation with Ontario teachers or with Bill 160 that's before us today.

I will support this resolution. I continue to believe that if the government would simply remove from this bill the clauses that have nothing to do with the amalgamation of school boards, nothing to do with the transitional issues that need to be managed for January 1, if they would remove those clauses, make the financing clear, make their intent to cut education further clear and have public debate about those cuts, we would not have 126,000 teachers out of their classes today. Teachers are out of their classrooms because they believe that the cuts this government is clearly going to make are going to devastate education and they don't want to see that happen.

Let's have some open information and some public debate about this government's real intention, which is not the improvement of quality education.

Applause.

The Chair: Pursuant to the standing orders of the Legislature, approval or disapproval is not permitted by the audience, as it is deemed to be a demonstration. I would therefore ask you to refrain and observe our parliamentary rules. Thank you very much.

Our next speaker is Mr Smith.

1010

Mr Bruce Smith (Middlesex): I'll be very brief in terms of my response to Mr Wildman's motion because, in

part, I think we've debated parts of that motion on previous presentations by himself and Mrs McLeod. I think we have talked about a lot of that, and unlike Mrs McLeod, I am not prepared today to belittle the work and business of this committee. I think there's been some very direct, straightforward and focused discussion in terms of the bill itself and I think that's very important as we move ahead to consider any amendments, where appropriate, with respect to Bill 160.

I think it's important to realize that this year we're spending more on education than we did before. We recognize, and I have communicated to the minister, the issues that school boards in this province have raised over the past seven days with respect to stub-year funding. I think there have been some very constructive issues raised with us in terms of what needs to be addressed for the period from January 1 to September of next year.

We continue to look at the funding formula, and in direct response to Mr Wildman, I will not be tabling that information with the committee today. As I've said in the past, you have been critical of this government for moving too fast. This is a very important piece, and I recognize that on behalf of the minister. We continue to look at ways to refine and ensure that we have all the information available to us so that we're making appropriate decisions with respect to funding of education in this province.

As parliamentary assistant, as a member of this committee, I am here today to hear the presentations of the deputants who have been scheduled for us. I'm anxious to do that so that we can complete some recommendations to the minister on issues that have been addressed over the course of the past seven days.

Very clearly there are issues. I would emphasize to Mrs McLeod, who I'm sure will have a follow-up comment, that I have listened patiently for seven days to your lectures. I have done that because I believe you passionately believe in the public education system and I respect that. I've done that as your junior, but for you to continue to suggest that you have sole monopoly on concern for public education in this province is completely inappropriate. The government members of this committee are equally important in terms of their viewpoints, in terms of the direction and vision that they have for education. I would only ask that you would respect that at some point during these seven days.

From that perspective, obviously I'm speaking in opposition to the motion. I believe it's important that we move ahead and hear the deputations that have been scheduled today so that we can continue the business of this committee.

The Chair: Before we proceed, I should remind the committee that we are now 15 minutes out of time. All I can do is request, but I would request that your comments be kept short so that we do not unduly delay the presenters here this morning.

Mr Beaubien and then Mr Patten.

Mr Marcel Beaubien (Lambton): As you pointed out, we are already 15 minutes late and we have six deputants to make presentations in front of the committee

before noon. I would seek unanimous consent from all the members to entertain motions, amendments during the lunch-hour so that we do not interfere with the deputants' time.

The Chair: Do we have unanimous consent to that motion?

Mr Wildman: No.

The Chair: We do not have unanimous consent, Mr Beaubien.

Mr Richard Patten (Ottawa Centre): I'll be very brief. I would simply like to request from the parliamentary assistant to table the information he has that says that the money spent on education this year was more than ever before. If he's got those figures, I would certainly like to see him table those and share those with the committee members.

Mrs McLeod: Mr Chairman, I will also be very brief. I have no motions to place. I have given up attempting to get motions through the committee.

Mr Smith knew, obviously, that there would be a response to the comments that he made, and if this is the way he wants to end the last day of the hearings, so be it. I am only going to make two responses to Mr Smith's comments.

The first one is to say how appalled I am that after seven days of hearings, Mr Smith should suggest that anyone of us, and particularly perhaps myself, should feel I want to have a sole monopoly on what's good for education. We have heard teachers and parents and trustees and students come before this committee overwhelmingly concerned about this bill, overwhelmingly concerned about the government and its cabinet taking exclusive control over education and overwhelmingly saying what they want in education and believe is good for education is a genuine partnership. This is not some kind of power struggle between teacher unions and the government. This is the government attempting to take sole control of educational decisions and this is the government, Mr Smith, shutting out everybody else, not just teacher union leaders, but classroom teachers, trustees and parents. Yesterday in Thunder Bay parent councils said to your government, "You created us, now listen to us." We're not talking about sole monopolies here.

The second point I would simply address highlights the reason why Mr Wildman's motion should be supported, because we cannot get accurate information from this government about its intent to make cuts to educational budgets. Mr Smith, this is the year in which there is the full impact of your \$533-million reduction in educational financing, and don't use words like "stub-year funding," knowing full well that Lynn Peterson, the president of the public school boards' association, came to this committee and said three things. She said, first of all, the stub-year funding that was supposed to be stable appears to be resulting in a net loss, a net deficit, of \$200 million to \$300 million to school boards across this province, and that's the public system alone. She said, secondly, that the supposed savings of \$150 million expected through amalgamation of school boards, more likely that amalgamation

is going to result in an increased harmonization cost of \$300 million to \$500 million. She said, thirdly, that she had seen documentation of where the ministry intends to withdraw \$1 billion from public education.

Show us those figures so that your figures can be believed.

Mr Wildman: I will not prolong the debate on my motion, but I do want to close off the debate, if possible, with making a final plea to the government members. I did not give unanimous consent to put off the discussion of this motion until the noon-hour because I believe that the deputants before this committee today must have all of the information the government has in order to be able to make informed comments on Bill 160 and on the government's agenda. Why won't the government give us the information?

I believe it's time for the government to end the confrontation that has disrupted the education of our students by moving forward on a collaborative approach involving teachers, parents, trustees, taxpayers and the government in making decisions about the quality of education for our students. It is not appropriate for the government to take all of that control, to centralize control of our education system in the hands of the Minister of Education and the cabinet, to make decisions by regulation behind closed doors. That is not acceptable. This is a public education system. The information about it must be public.

Interruption.

The Chair: Excuse me, Mr Wildman. There are a number of individuals in this audience who believe they're at a football game rather than a standing committee hearing. I adjourn for 10 minutes, and I'll keep on recessing. Unfortunately, there may be people on the list who will not be heard, but I'll keep doing it. Ten minutes.

The committee recessed from 1020 to 1028.

The Chair: Could the members seat themselves, please. We may continue. Mr Wildman, you had the floor.

Mr Wildman: I'll just close off the discussion by responding briefly to Mr Smith, the parliamentary assistant, and his comments.

To be honest, with respect, if anyone is belittling the work of this committee it is the provincial government, because the government has charged this committee with the responsibility of dealing with Bill 160, hearing public input into the bill and making recommendations for passage or amendment of that bill, but is not prepared to give us all of the information the committee needs in order to be able to do its work properly.

The vast majority of the presentations of deputants before this committee on Bill 160 have been opposed to the bill, whether they be parents, students, teachers, trustees or members of the general public. They're opposed to the centralization of control over education in the hands of the Minister of Education. They're opposed to the loss of local control over the education of their students. They're opposed particularly to the removal of more funding from public education in this province.

They have stated that they need the funding formula. We need to know how much money the provincial gov-

ernment is going to invest in education, how much money the government is going to take out of education and how the funding is to be established. We need to know that. We can't leave that sort of thing to regulation, because Bill 160 gives the provincial government complete control over taxation and for determining how much money will be invested in education.

I believe that if the government really wanted to defuse the disruption of education in this province and the confrontation that it has created with the teachers, the first step would be to provide us with the information: to provide the parents, the taxpayers and the teachers with the information on how much money the government is going to invest and how that money is to be distributed to ensure equity and good quality public education.

I think everyone has concern for public education. We must have. Surely all members of this committee are opposed to privatization of the education system. Thus we must know what the government's plans are, and I plead with the members of the committee to vote in favour of requesting the provincial government to provide the committee and the public with the information it now has which leads the minister to say that the provincial Conservative government can take \$667 million more out of education in this province without hurting the quality of education.

We must know how the programs that students need can be maintained and enhanced to meet their needs. Then perhaps we would be a long way towards ensuring that the students get back to the classroom and that we move forward on improving the quality of education for Ontario. So I expect that all members of the committee will vote in favour of my motion.

Mr Grandmaître: I'd like to respond to the parliamentary assistant's remarks. If the government is serious about financing the new education system, then we should have all of those figures before us this morning. This government promised not so long ago to create seven or eight additional French-language school boards. We are very anxious to find out where those dollars will come from. I realize that the minister and the members of the government are saying, "Trust us." Well, those days are gone. People no longer trust the government, and this is why we need all of those figures before us this morning to make the right judgement.

Je crois que la confiance en le gouvernement disparaît tous les jours, et aujourd'hui aussi bien que les sept dernières journées. Il faut que le gouvernement soit honnête envers non seulement les membres de ce comité mais envers tous les citoyens de l'Ontario, surtout les francophones, et qu'il nous dise quelle est la formule pour financer les conseils additionnels qui nous ont été promis.

The Chair: Is there any further discussion regarding the motion? If not, there is a motion on the floor by Mr Wildman. Shall Mr Wildman's motion carry?

Mr Wildman: I request a recorded vote.

Ayes

Grandmaître, McLeod, Wildman.

Nays

Beaubien, Rollins, Sheehan, Smith, Wettlaufer.

The Chair: The motion fails. Are there any other preliminary matters before we proceed with our first presentation? No.

**ASSOCIATION FRANÇAISE DES CONSEILS
SCOLAIRES DE L'ONTARIO**

The Chair: If not, our first presentation is Mr Daniel Morin. Good morning, sir. We have allotted 30 minutes for your presentation, starting right now.

M. Daniel Morin : Merci, Monsieur le Président. L'Association française des conseils scolaires de l'Ontario, l'AFCSO, est heureuse d'avoir l'occasion de présenter ses commentaires et recommandations sur le projet de loi 160, Loi de 1997 sur l'amélioration de la qualité de l'éducation. Bien que certains aspects du projet de loi nous sont acceptables, force nous est de constater qu'il existe un grand nombre de dispositions que nous ne pouvons appuyer.

Pris dans son ensemble, le projet de loi 160 constitue une attaque voulue et pernicieuse sur le système de l'éducation. Il concentre tous les pouvoirs et les remet entre les mains du Cabinet. Il n'a peu, sinon rien, à voir avec l'amélioration de la qualité de l'éducation. Il a tout à voir avec la réalisation des objectifs fiscaux du gouvernement Harris. Suite à son adoption, tout ce qui touche aux écoles sera décidé par le Cabinet et mis en place par voie de règlement.

L'AFCSO s'est penchée sur ce document massif et souhaite aujourd'hui vous transmettre certaines de ses observations et suggestions. Les critères contre lesquels nous avons mesuré les diverses dispositions du projet de loi sont les suivants : le respect des droits constitutionnels des francophones du secteur public et des francophones du secteur catholique ; le respect de l'importance de l'apport local aux décisions touchant à l'école ; la probabilité que la qualité de l'éducation sera améliorée par l'adoption du projet de loi, qui est l'objectif du projet de loi.

En mesurant les dispositions du projet de loi contre ces critères, l'AFCSO a pu déterminer lesquelles elle pouvait appuyer et lesquelles exigeaient davantage d'étude. Compte tenu du temps restreint qui nous est accordé, nous nous limiterons à quelques domaines essentiels.

Gestion scolaire : le projet de loi 160 donne suite au projet de loi 104 et confirme la création de conseils scolaires de district de langue française. L'AFCSO s'en réjouit.

Malheureusement, le détail des pouvoirs, du rôle et des responsabilités des conseils scolaires et des conseillères et conseillers scolaires qui y siègeront ne figure pas dans le projet de loi. Il sera déterminé par voie de règlement : partie I, article 6. L'AFCSO est d'avis que cette façon de

procéder porte atteinte aux droits de gestion des francophones.

Dans l'arrêt Mahé, la Cour suprême du Canada a stipulé que même dans les cas où le nombre d'élèves de la minorité ne justifie pas le niveau maximum de gestion — c'est-à-dire, un conseil scolaire indépendant — les représentants élus de la minorité doivent, et là je cite de l'arrêt Mahé :

«avoir le pouvoir exclusif de prendre des décisions concernant l'instruction dans (leur) langue et les établissements où elle est dispensée, notamment :

«a) les dépenses de fonds prévus pour cette instruction et ces établissements ;

«b) la nomination et la direction des personnes chargées de l'administration de cette instruction et de ces établissements ;

«c) l'établissement des programmes scolaires ;

«d) le recrutement et l'affectation du personnel, notamment les professeurs ;

«e) la conclusion d'accords pour l'enseignement et les services dispensés aux élèves de la minorité linguistique.»

Si ces pouvoirs exclusifs sont garantis là où le nombre ne justifie pas des conseils scolaires indépendants, il va de soi que là où les nombres sont suffisants — et ceci signifie chacun des conseils scolaires de district de langue française décrit dans le projet de loi — les conseils scolaires indépendants qui gèrent l'éducation pour la minorité linguistique doivent posséder au moins ces mêmes pouvoirs exclusifs. Le projet de loi 160 leur nie certains de ces pouvoirs.

Le projet de loi 160 demande aux citoyens de l'Ontario de faire confiance aveuglement au ministre de l'Éducation et de la Formation, c'est-à-dire au gouvernement. Il nous demande de placer entre les mains du gouvernement nos droits constitutionnels de gestion, sans aucune garantie qu'ils seront respectés. Vous conviendrez que les précédents ne sont guère encourageants. Notre communauté a toujours eu à se battre pour se faire respecter. Encore récemment, les francophones des régions de Peel, de York et de Halton se sont vu refuser l'ouverture d'une école élémentaire. Comment faire confiance?

Notre expérience démontre qu'il faut enchâsser dans la loi toutes les garanties nécessaires à la survie et à l'épanouissement de notre communauté. Sinon, nous serons bafoués.

L'article 6 de la partie I du projet de loi 160 ne respecte pas nos droits constitutionnels de gestion en vertu de l'article 23 de la Charte canadienne des droits et libertés. Il ne respecte pas l'importance de l'apport local, puisque les pouvoirs et responsabilités des conseils scolaires et de leurs membres seront remis au gouvernement provincial. Il ne garantit en rien que la qualité de l'éducation sera améliorée.

1040

Voici notre première recommandation : l'AFCSO recommande que l'article 6 de la partie I du projet de loi 160 soit supprimé et que les dispositions actuelles de la

Loi sur l'éducation visées par ledit article 6 soient maintenues intactes.

Le projet de loi accorde également au gouvernement des pouvoirs énormes de réglementation concernant l'effectif des classes, le temps de contact minimal entre enseignants et élèves, et «le temps pendant lequel les enseignants peuvent se voir affecter des responsabilités, au cours du programme d'enseignement les jours de classe, autres qu'enseigner à des classes ou enseigner des matières aux élèves.» C'est l'article 81, partie VI.

Ces pouvoirs permettront au lieutenant-gouverneur en conseil de :

«a) régir l'effectif des classes des écoles relevant des conseils ainsi que la façon de le déterminer ;

«b) établir le temps minimal qu'un enseignant doit passer, au cours du programme d'enseignement les jours de classe, à enseigner à des classes ou à enseigner des matières aux élèves ;

«c) limiter le temps pendant lequel un enseignant peut se voir affecter des responsabilités, au cours du programme d'enseignement les jours de classe, autres qu'enseigner à des classes ou enseigner des matières aux élèves ;

«d) régir les façons de décider des questions visées aux alinéas (b) et (c) ;

«e) désigner des postes qui ne sont pas des postes d'enseignant et des fonctions qui ne sont pas des fonctions d'enseignant et prescrire les qualités minimales requises pour occuper un poste désigné ou exercer des fonctions désignées ; et enfin

«f) définir, pour l'application des règlements, les termes utilisés mais non définis dans la présente loi.»

Tout ceci contrevient clairement aux droits constitutionnels de gestion conférés par l'article 23 de la Charte canadienne des droits et libertés et interprétés par la Cour suprême dans l'arrêt Mahé que j'ai cité plus haut. Le pouvoir exclusif de prendre ces décisions appartient aux francophones. Dans l'arrêt Mahé, la Cour suprême affirme que «les minorités linguistiques ne peuvent pas être toujours certaines que la majorité tiendra compte de toutes leurs préoccupations linguistiques et culturelles.»

Qui plus est, l'AFCSO est convaincue que les domaines touchés par cet article sont mieux traités localement, par voie de négociations entre les employés du conseil scolaire et le conseil scolaire, qui est le mandataire de la population. De cette façon, les particularités locales peuvent être respectées.

Le gouvernement semble croire que l'uniformisation mènera à l'amélioration de la qualité. L'AFCSO s'inscrit en faux à cet égard. Ce qui est bon pour la majorité ne l'est pas nécessairement pour la minorité. Les réalités du nord, du sud et de l'est de la province sont très différentes les unes des autres. Les milieux ruraux ont des besoins et des attentes qui diffèrent de ceux des milieux urbains.

La centralisation excessive qui se dessine en filigrane dans ce projet de loi ne permettra pas de tenir compte de toutes ces différences. Nous nous retrouverons devant une situation où tous seront assujettis au plus petit dénominateur commun. L'AFCSO ne croit pas que telle

est la façon d'améliorer la qualité de l'éducation. L'AFCSO croit à l'importance des conseils scolaires locaux, disposant de pouvoirs réels. Ils sont le véhicule qui permet à la population locale de se faire entendre. Ils permettent l'adaptation des orientations provinciales à la réalité locale.

Le projet de loi 160 émascule les conseils scolaires locaux. Au moment même où les francophones sont sur le point d'obtenir leurs propres conseils scolaires autonomes, voilà que le gouvernement s'apprête à les vider de tous leurs pouvoirs. L'article 23 de la Charte canadienne des droits et libertés nous garantit plus que la gestion d'une coquille vide.

Notre deuxième recommandation : que l'article 81 de la partie VI du projet de loi 160 soit supprimé et que les domaines qui y sont touchés continuent d'être traités comme ils le sont à l'heure actuelle.

Financement : le projet de loi 160 présente un nouveau régime de financement ancré dans l'article 234 ; ce régime sera mis en place par réglementation. Nous ignorons toujours le détail de cette réglementation. Toutefois, le texte du projet de loi précise que,

«...les lois et règlements régissant le financement de l'éducation s'appliquent de façon équitable et non discriminatoire :

«a) entre les conseils publics de langue anglaise et les conseils catholiques de langue anglaise ;

«b) entre les conseils scolaires de district publics de langue française et les conseils scolaires de district séparés de langue française.»

Cette stipulation est encourageante, car elle assure un traitement juste et non discriminatoire. Le gouvernement est maintenant assujéti au contrôle judiciaire par les tribunaux si la réglementation n'est pas conforme à cette norme. Cette protection est appréciée.

Il demeure toutefois que l'AFCSO ignore toujours le détail du nouveau régime de financement. Spécifiquement, nous ignorons si et comment seront traités nos droits au rattrapage et à la réparation, droits qui ont été stipulés par la Cour suprême du Canada. Enfin, l'AFCSO déplore que le pouvoir de taxer les propriétés résidentielles ait été retiré des conseils scolaires. Elle trouve également malheureux de constater la réitération du principe «anglophone public par défaut», car il confirme encore une fois un biais qui ne fait pas honneur à la province.

Par surcroît, nous ignorons quelles autres coupures seront apportées à un budget déjà insuffisant. L'AFCSO aurait souhaité voir la nouvelle formule de financement, assortie des chiffres pertinents, avant l'adoption du présent projet de loi. Il est très difficile de faire une évaluation valable des répercussions sans ces données.

Toutes ces imprécisions nous portent à soupçonner que l'objectif ultime du projet de loi est de remettre tout le pouvoir entre les mains du gouvernement afin qu'il puisse impunément continuer de couper des sommes astronomiques du budget de l'éducation. Nous déplorons cette tactique.

Notre troisième recommandation : que la nouvelle formule de financement soit rendue publique avant l'adoption en troisième lecture du projet de loi 160.

Conclusion : l'AFCO réitère son appui à la création de conseils scolaires de district publics et séparés de langue française et à l'engagement d'assurer un régime de financement dont l'application est juste et non discriminatoire. Ce sont deux éléments fort positifs que nous voulons voir adoptés dès que possible.

Tout en reconnaissant au gouvernement provincial le droit de tracer les grandes orientations du système d'éducation, l'AFCO doit s'opposer vivement à la stratégie du gouvernement actuel qui s'arroge un nombre sans précédent de pouvoirs par le biais de la réglementation. Cette centralisation massive ne nous semble guère démocratique et pourrait facilement mener à la démagogie.

Sous prétexte de vouloir améliorer l'éducation, le gouvernement nous propose un projet de loi dont certaines dispositions n'ont d'autre but que de couper de façon draconienne les dépenses. Or, l'AFCO voit difficilement comment l'on puisse prétendre d'améliorer la qualité de l'éducation en réduisant l'argent qu'on y investit, en retirant les pouvoirs des conseils scolaires locaux, en faisant éclater les conventions collectives négociées de bonne foi et en dénigrant publiquement les réalisations de ceux et celles qui oeuvrent au sein des conseils scolaires, que ce soit à titre d'élus ou d'employés.

L'AFCO tient à souligner l'engagement des enseignantes et des enseignants de l'Ontario et des élus scolaires envers l'excellence. Leur dévouement au fil des ans n'est plus à démontrer. Ils ont oeuvré, toutes et tous, dans des conditions difficiles. Ils ont créé un réseau d'écoles de langue française malgré l'hostilité de l'environnement politique. Ils sont déterminés à le maintenir et à le voir s'épanouir.

À preuve, en mai dernier, 400 Franco-Ontariens et Franco-Ontariennes de tous les coins de la province se sont réunis à la Cité collégiale à Ottawa pour tracer les grandes orientations et un plan d'action qui mèneront à un système scolaire à l'image de leur communauté. À l'école franco-ontarienne de la réussite, tous les enfants se retrouveront dans un «milieu francophone d'apprentissage et de créativité, d'enracinement et de réalisation de soi basé sur la reconnaissance de la diversité ainsi que sur les principes d'équité et d'égalité pour toutes et tous.» Les participants se sont entendus que la clé du succès, c'est «le partage des responsabilités et des ressources dans le cadre d'une action concertée, convergente et responsable qui optimise les ressources existantes.» Ceci est un extrait du Rapport des États généraux sur l'éducation élémentaire et secondaire de langue française en Ontario, juin 1997.

Le projet de loi 160 sur l'amélioration de la qualité de l'éducation rendra difficile la réalisation de ces objectifs, sinon impossible. Il est divisif et entraînera exactement l'inverse de ce que son nom préconise. L'AFCO exhorte le gouvernement à retirer ou à modifier les articles contentieux que nous venons de lui signaler.

Toute vraie réforme en éducation doit bâtir sur les acquis. Elle ne doit ni mépriser, ni écraser les réalisations du passé. Ce projet de loi, s'il demeure intact, nuira à la qualité de l'éducation en Ontario et il faudra des décennies pour réparer les dommages. Pour l'amour de nos enfants, modifiez ce document dès maintenant. Merci.

1050

The Chair: Thank you very much. We have about three minutes per caucus, and we'll start off with the third party.

Mr Wildman: Thank you. Merci beaucoup. I agree with you completely that Bill 160 is divisive and will disadvantage students. I think the evidence of that is the fact that teachers are out on the sidewalk and students aren't in class. I also have been seeking the information throughout these hearings as to how the government believes it can improve the quality of education while significantly lowering the funding and emasculating school boards, even the new French-language boards, which we welcome, by centralizing power at Queen's Park in the hands of the minister.

I guess central to your concern, beyond the criticism of teachers and so on, is the need for the funding formula. If you have governance, as is your right in the francophone community, but you don't have funding to make it possible to ensure the quality of education for francophone students, the governance is somewhat hollow. Do you think it makes sense for the government to provide us with the funding formula for all boards in the province, francophone and anglophone, separate and public, prior to the passage of this bill so that we can properly assess the government's intentions with regard to ensuring the non-discriminatory funding?

Mr Daniel Morin: Not only does it make sense, but our recommendation number 3 reads, «que la nouvelle formule de financement soit rendue publique avant l'adoption en troisième lecture du projet de loi 160.» Obviously we agree.

Mr Wildman: The reason I asked that in English was that I wanted to ensure everyone here understood your position. They don't all have access to the translation, the interpretation that we have as committee members.

How would you respond to some who might argue that the francophone community should be very pleased, as I know they are, with the establishment of the French-language boards after such a long struggle, and should not be looking a gift horse in the mouth, as it were?

Mr Daniel Morin: Well, actually, it's not a gift —

Mr Wildman: The court required it.

Mr Daniel Morin: Exactly — and especially if it's empty. It's like me receiving a nice Cadillac without wheels and steering, and nothing in it. That's exactly what it is, so we need to know what kind of money comes behind it or with it.

Mr Wildman: A member of the business community appearing before this committee said, "Asking us to approve Bill 160 without the funding formula is like asking a businessperson to approve a new business investment without knowing the numbers, without knowing what the

revenue might be, what the expenditure and costs might be, and what the potential return might be." No business-person would agree to that kind of approach, so why should the public agree to this very important investment in the future of our kids?

Mr Daniel Morin: So we need the numbers.

M. Beaubien : Monsieur Morin, merci pour votre présentation ce matin, une présentation très informative.

À la page 3 de votre présentation, vous mentionnez, «Encore récemment, des francophones des régions de Peel, de York et de Halton se sont vu refuser l'ouverture d'une école élémentaire.» Si je retombe à la page 5, vous mentionnez que, «Le projet de loi 160 émascule les conseils scolaires locaux.»

J'ai un peu de difficulté à comprendre ce que vous essayez de me dire ici. Si on a de la difficulté à maintenir ou bien à ouvrir des écoles élémentaires francophones en ce moment sous les projets de loi qui sont sur les livres aujourd'hui, qu'est-ce que vous essayez de me dire ici avec le projet de loi 160 ?

M. Daniel Morin : Je vais essayer de répondre à votre question. Je ne suis pas certain que je la comprends bien, mais vous faites référence aux régions de Halton, Peel, comme je l'ai fait. Dans ces cas-là, les francophones non seulement n'ont pas de conseils scolaires, n'ont pas de sections de langue française comme plusieurs existent dans la province, mais tout ce qu'ils ont, ce sont des comités consultatifs de langue française qui n'ont aucun pouvoir.

Dans ces trois cas-là, les comités consultatifs ont fait des pressions depuis plusieurs années auprès des conseils scolaires anglophones pour avoir justement des écoles françaises. Jusqu'à tout récemment, et même tout récemment justement, toujours la réponse a été non. Dans la création des nouveaux conseils scolaires de langue française, évidemment, ces régions-là vont être incluses avec le conseils scolaires de district de la région, mais il reste encore que sans un vrai pouvoir de gestion au niveau local, au niveau des conseillers et des conseillères scolaires, on n'est absolument pas certain de ce que ça va donner en termes de possibilités de bâtir et d'avoir ces nouvelles écoles de langue française pour ces régions-là où le besoin a été démontré, d'ailleurs. Je ne sais pas si ça répond à votre question.

M. Beaubien : Oui, ça me donne un peu un coup de main ici, mais lundi et mardi à Sault Ste-Marie puis à Thunder Bay, j'ai entendu des présentations de groupes franco-ontariens. M^{me} Groulx, qui est la présidente et l'AEFO à Sault Ste-Marie, voulait par exemple porter l'attention sur le fait que nous sommes des petites écoles à l'intérieur d'un territoire très anglophone, que dans la région de Sault Ste-Marie et de Thunder Bay, ça cause beaucoup de difficultés parce que, comme vous l'avez démontré ici, le support public n'est pas là. Est-ce que vous avez rencontré la même difficulté ici dans la région d'Ottawa ?

M. Daniel Morin : Difficulté par rapport à l'aide publique ?

M. Beaubien : Avec les conseils.

M. Daniel Morin : Dans la région d'Ottawa comme telle — moi, je suis conseiller scolaire à Cornwall — c'est évident qu'avec l'avènement d'un conseil scolaire public de langue française et un conseil scolaire catholique de langue française, donc deux conseils qui régissent la grande région d'Ottawa-Carleton, les francophones ont accès à des conseils et à des écoles de langue française. Par contre, à l'intérieur de ces conseils-là, on entend souvent dire que même avec des conseils scolaires de langue française, ils n'ont pas les moyens, évidemment, de répondre à la demande des francophones au niveau de l'ouverture de nouvelles écoles et des choses du genre.

Alors, le support du public est fantastique, je veux dire, c'est évident. Ils ont des conseils scolaires de langue française pour la région, et en Prescott-Russell c'est la même chose. Dès qu'on sort de ces trois régions-là où il existe des conseils scolaires de langue française, à ce moment là, surtout avec le projet de loi 160 et les pouvoirs donnés aux conseillers et conseillères scolaires, c'est très difficile de prévoir si on va pouvoir répondre à la demande, justement.

M^{me} McLeod : J'essayerai de répéter vos recommandations en anglais pour quelques-uns dans l'audience, et puis mon collègue posera une question.

You have said quite clearly that you want to see the funding formula, the financing, before this bill proceeds. You've also said, and I want to stress this, that significant parts of this bill should be withdrawn, those parts of the bill which take the power away from local boards and put it into the hands of cabinet, because with those powers being withdrawn from the local boards, as I think you put it, your rights under article 23 of the Charter of Rights and Freedoms are guaranteed nothing more than to become an empty shell. Have I essentially put the essence of your concerns?

Mr Daniel Morin: That's a good translation.

M. Grandmaître : Je voudrais attirer votre attention, Monsieur Morin, à la gestion scolaire. Moi aussi, je veux référer à la page 3, au dernier paragraphe : «L'article 6 de la partie I du projet de loi 160 ne respecte pas nos droits constitutionnels de gestion en vertu de l'article 23 de la Charte canadienne des droits et libertés.»

J'aimerais que vous parliez de vos avis légaux concernant vos commentaires, et je vous réfère à la page 6 de votre mémoire. On parle de rattrapage. Monsieur Morin, je suis tout à fait d'accord avec vous. Si le gouvernement qui a fait l'annonce de la gestion scolaire avec tambours, trompettes, pour que la communauté francophone se réjouisse — il faut du rattrapage. Alors, pouvez-vous nous parler du rattrapage ?

1100

M. Daniel Morin : C'est difficile de parler du rattrapage en termes précis. Il faudrait que je compare à l'intérieur d'une même région, même au niveau provincial, l'ensemble de ce que la majorité possède en termes du système d'éducation versus ce que la minorité possède, pour ainsi voir ce que ça prend pour que cette minorité francophone puisse obtenir la même chose que la majorité anglophone. Bien sûr, l'avènement de conseils

scolaires fait en sorte qu'il y a une certaine forme de rattrapage, mais c'est une forme de rattrapage global, puis comme on l'a dit plusieurs fois, si cet avènement nous donne des conseils scolaires qu'on ne peut pas gérer comme tels parce qu'il n'y a pas d'argent ou qu'il n'y a même pas de pouvoir réel, on ne gère absolument rien.

Sur une base locale, il y a du rattrapage. On pourrait même comparer école par école et district par district. Vous vous souviendrez peut-être du jugement Sirois en Ontario justement dans la péninsule, dans le coin de Penetanguishene, qui mettait des dents au rattrapage. Il voyait une équivalence entre ce que les francophones devaient avoir et ce que les anglophones devaient avoir. Partout en province, on peut aller chercher des exemples bien spécifiques.

M. Grandmaître : Dernière petite question, Monsieur Morin. Je vous réfère encore à vos commentaires à la page 3, que «la loi 160 ne respecte pas nos droits constitutionnels.» Est-ce que c'est assez puissant pour empêcher l'injonction que le gouvernement a l'intention de déposer ?

M. Daniel Morin : N'étant ni constitutionnaliste ni avocat de profession, j'ai beaucoup de misère à répondre à votre question. Je ne sais pas si, oui ou non, c'est assez puissant pour ça. Ce que je sais, c'est que lorsque l'association regarde, et puis je les ai lues, certaines des dispositions de l'arrêt Mahé qui sont protégées dans la constitution, lorsque nous regardons l'énoncé des pouvoirs qui devraient nous être accordés, puis qu'on compare avec ce qui est dans le projet de loi 160, on trouve qu'il y a un manque à gagner définitif.

The Chair: Thank you very much for your presentation here this morning.

ASSOCIATION DES ENSEIGNANTES ET DES ENSEIGNANTS FRANCO-ONTARIENS

The Chair: Our next presentation is Diane Chénier. I take this opportunity to welcome Gilles Morin, MPP for Carleton East, to our committee. Please proceed.

M^{me} Diane Chénier : Il me fait plaisir de vous présenter les deux personnes qui m'accompagnent : M. Guy Matte, directeur-général, et M. Bernard Ethier.

L'Association des enseignantes et des enseignants franco-ontariens est un organisme professionnel qui représente les quelque 8000 enseignantes et enseignants francophones de la province à l'emploi des conseils scolaires catholiques et publiques, de même que les enseignantes et les enseignants suppléants oeuvrant dans les conseils scolaires de langue française.

L'AEFO dépose auprès de votre comité son mémoire vis-à-vis le projet de loi 160. Vous ne serez sûrement pas surpris d'apprendre que nous partageons les préoccupations des autres associations professionnelles d'enseignantes et d'enseignants. Vous y trouverez les amendements et les abrogations que nous appuyons. Je ne les passerai donc pas en revue. Je tiens cependant à

partager avec vous les préoccupations que nous avons quant à l'impact du projet de loi 160 sur les écoles françaises de l'Ontario.

Le système des écoles de langue française est particulièrement vulnérable aux changements législatifs et financiers du gouvernement provincial. Nous sommes heureux de constater que le gouvernement a pris la décision de procéder à la création des 12 conseils scolaires de langue française. C'est une mesure qui répond aux décisions des cours de justice.

Nous travaillons fortement, présentement, avec les conseillères et les conseillers scolaires à assurer une transition harmonieuse et efficace entre la situation actuelle et celle qui prévaudra après le 1^{er} janvier 1998. Cependant, nous craignons que le projet de loi 160 ne transforme ces conseils scolaires en coquilles vides.

En effet, si les pouvoirs que s'arroge le ministre sont approuvés par la Législature, les conseils scolaires ne seront plus que des administrateurs de décisions prises par un gouvernement central. La perte de contrôle des francophones sur leur système d'éducation irait selon nous à l'encontre des dispositions de l'article 23 de la Charte canadienne des droits et libertés. Les parents et les contribuables ont le devoir de par cet article de voir à la gestion des écoles de langue française, et il n'est pas question pour notre communauté de permettre au gouvernement central de substituer au rôle que jouaient les conseils scolaires de langue anglaise auprès de nos institutions durant les derniers 150 ans.

Dans un autre ordre d'idée, nos écoles sont fragiles, particulièrement au niveau secondaire où la moitié d'entre elles ont moins de 250 élèves. Dans ces situations, le personnel enseignant assure à bout de bras un programme complet d'études secondaires. Si le projet de loi 160 devenait opérant, cela signifierait la perte d'un grand nombre d'enseignants et d'enseignantes et la disparition de programmes et de spécialistes qui pourrait conduire au décrochage et même à la fermeture d'un grand nombre d'écoles.

Notre organisation est de celles qui veulent un système d'éducation de qualité. Nous appuyons l'Office de la qualité et de la responsabilité en éducation. Nous avons appuyé un bulletin uniforme en assurant la présence d'une dizaine d'enseignantes et d'enseignants dans le développement de ce bulletin. Nous appuyons les tests provinciaux en autant que ceci puisse nous apprendre comment remédier aux faiblesses de nos programmes.

Notre organisation en est une qui accepte le changement mais qui ne se pliera pas à des décisions politiques qui n'ont rien à voir avec la qualité de l'éducation et tout à voir avec la réduction des effectifs et les coupures budgétaires. Nous espérons que vous saurez prendre en compte les recommandations contenues dans notre mémoire. Merci.

The Vice-Chair (Mr E. J. Douglas Rollins): Thank you for your presentation. We have some time. We'll start with the government.

1110

M. Beaubien : J'ai eu de la difficulté à suivre votre présentation avec l'information que j'avais devant moi, mais vous avez dit, madame, que le projet de loi 160 vous concerne en regardant la perte d'enseignants et d'enseignantes, la fermeture d'un grand nombre d'écoles que vous avez mentionnée. Vous avez mentionné que les conseils scolaires deviendront des coquilles vides, mais vous avez aussi mentionné que vous appréciez que le gouvernement avait formulé 12 conseils d'écoles de langue française.

Pourriez-vous m'expliquer pourquoi vous pensez que les conseils scolaires vont devenir des coquilles vides avec le projet de loi 160 ?

M^{me} Chénier : M. Matte va répondre à la question pour vous.

M. Guy Matte : Quand nous avons regardé ce qui est dans ce projet de loi et les pouvoirs que se donnent le gouvernement et le Cabinet, il reste peu de décisions à prendre au niveau local. Tout ce qui regarde les conditions de travail des enseignantes et des enseignants — les décisions que les conseils peuvent prendre à ce sujet, les décisions reliées aux tailles des salles de classe, les décisions qui sont reliées aux programmes d'études — est maintenant centralisé au niveau du gouvernement provincial. Il reste peu de choses au niveau local pour les conseils scolaires à gérer.

Nous croyons que cette habitude centralisatrice du gouvernement à l'heure actuelle correspond à peu près à ce que nous vivons à l'heure actuelle dans les conseils scolaires de langue anglaise, où la majorité peut encore contrôler ce qui se passe. On vient d'obtenir des conseils scolaires de langue française et on espérait bien les gérer, mais le pouvoir qu'avaient les conseils ayant été transféré au gouvernement provincial, il nous restera encore pratiquement rien à gérer au niveau local. Nous croyons que la communauté francophone doit gérer ses écoles.

Mr Beaubien : I don't think I have any other questions, Mr Chair.

M. Gilles E. Morin (Carleton-Est) : Je voudrais référer à la question qui a été posée tout à l'heure par mon collègue M. Grandmaître à M. Morin, qui était ici comme témoin. Il est très intéressant de voir que l'article 23 de la Charte canadienne auquel vous référez — que ceci vous enlève vos droits. C'est très clair. Maintenant, vous avez sûrement demandé des conseils à vos aviseurs légaux. Qu'est-ce qu'on vous a dit au sujet de l'injonction que le gouvernement a l'intention d'apporter pour exiger que les professeurs retournent aux études ?

M. Matte : Je pense qu'il n'y a pas vraiment un lien entre les deux. Je ne peux voir le lien entre les deux. Ce que nous disons au niveau de l'article 23, c'est que la Charte canadienne des droits et libertés protège les droits qu'ont les francophones de gérer les écoles ; c'est une chose. L'injonction qui, semble-t-il — je ne sais pas si le gouvernement l'a déposée ce matin, mais l'injonction qui semble se préparer touche à un projet de loi très précis, qui s'appelle le projet de loi 100.

Ce que nous trouvons très étrange, c'est que ce gouvernement, à travers le projet de loi 160, veut se débarrasser de la Loi 100, mais en même temps s'en sert pour essayer de déposer l'injonction auprès du gouvernement. Alors, je trouve étrange qu'on veut se débarrasser d'une loi qui semble bien satisfaire aux objectifs du gouvernement à l'heure actuelle. Mais il n'y a pas de lien entre les deux.

M. Grandmaître : Je voudrais revenir à la création des 12 conseils scolaires de langue française qui nous ont été promis, je le répète, avec tambours et trompettes, comme une victoire pour les Franco-Ontariens. Je me souviens des entêtes. J'ai encore les découpures chez moi. J'ai encore les découpures, et un jour je pourrais sortir les découpures et la victoire ne serait pas acquise.

Monsieur Matte, je voudrais vous poser une question ; j'aimerais connaître vos idées. Avec la possibilité d'un financement réduit, que ça soit au niveau public, séparé, langue française, qu'est-ce qui va arriver au système d'éducation en Ontario ? Que ça soit public, séparé, langue française, on veut fermer des écoles, et je suis sûr qu'avec la fermeture de certaines écoles publiques, on va tenter de remettre ces écoles publiques-là aux francophones. Alors, imaginez-vous la guerre que va soulever le gouvernement en faisant cette répartition.

Pouvez-vous me donner vos commentaires, vos idées ? Qu'est-ce que vous prévoyez si le gouvernement va de l'avant avec un financement beaucoup plus faible qu'à l'heure actuelle ? Qu'est-ce que vous voyez ? Qu'est-ce le futur de notre système d'éducation en Ontario ?

M. Matte : Je vous rappelle d'abord que quand les animaux se présentent devant les tanks et que les tanks commencent à se dessécher de plus en plus, les animaux qui s'entendaient ensemble — anglophones, francophones, catholiques et publics — commencent à se regarder avec un oeil un peu différent. Je pense que ce que l'on voit, c'est un peu l'assèchement du financement dans la province de l'Ontario, et il y a une grande crainte contre les catholiques et les publics, entre le secteur francophone et le secteur anglophone. On commence à poser beaucoup de questions et à questionner le maintien d'un système tel que le système catholique et tel que le système de langue française.

Je crois que l'on a vu déjà dans des provinces voisines des changements qui sont proposés dans cette direction-là. Donc, il y a certainement au niveau fédéral une crainte que la réduction de financement va faire à ce que les gens commencent à se faire mal entre eux, plutôt que de voir à la meilleure qualité de l'éducation.

Deuxièmement, au niveau des écoles de langue française, ce que nous voyons à l'heure actuelle, c'est que la réduction du financement, particulièrement au niveau secondaire, quand on regarde les mesures qui sont proposées par le gouvernement, va faire à ce que plusieurs d'entre elles risquent dans trois à cinq ans de fermer. Pourquoi ?

Quand on a à peu près 12 enseignants dans une école qui tentent de maintenir un programme complet de la neuvième jusqu'au CPO, 12 enseignants, 12 personnes qui

tendent de le maintenir, elles doivent faire toutes sortes de choses. Et il y aura des réductions. Le projet de loi 160 demande de réduire le nombre des enseignantes et des enseignants, et le ministre lui-même a avoué hier avec ses petites affaires, son petit dessin devant la télévision, que c'était pour réduire le nombre de personnel. Il est évident qu'il va y avoir moins de monde pour remplir les programmes au niveau secondaire.

Quand on voit se retrouver 10 membres du personnel dans une école secondaire et que l'on a perdu le spécialiste en sciences, est-ce que ça va être notre spécialiste en littérature française qui va maintenant enseigner les sciences au CPO? Et on va s'attendre à ce que ça augmente la qualité de l'éducation dans nos écoles? Ça ne prendra pas de temps que les élèves vont décrocher; ils vont aller ailleurs. Après avoir tenté de maintenir ces écoles-là à bout de bras, à bout des doigts, je pense que ce n'est pas rendre un service au niveau de la qualité de l'éducation que d'aller dans la direction proposée par le gouvernement.

M^{me} McLeod : Ma question, c'est simplement pourquoi vos enseignantes et enseignants ne sont pas dans les classes aujourd'hui.

M^{me} Chénier : Évidemment, nous défendons une qualité de l'éducation qui est déjà en place. On veut maintenir exactement nos écoles de langue française. On veut offrir les meilleurs programmes. On a les meilleurs spécialistes dans le moment. On ne veut pas que le gouvernement prenne un contrôle central par les bureaucrates de Toronto, et on ne veut pas soustraire 667 \$ millions du système de l'éducation. Ça va saigner notre budget éducatif et ça va hypothéquer l'avenir de nos jeunes d'aujourd'hui et des futures générations.

Mr Wayne Lessard (Windsor-Riverside): I was curious about your comments about the violation of section 23 of the Charter of Rights and Freedoms by Bill 160. You've mentioned how long and hard you have fought as a community to achieve the rights that you have now and how, once you received them, you see them being eroded and taken away by Bill 160. I wouldn't expect that you would continue to watch that erosion of rights happen, but that you would do whatever you could to make sure your schools didn't become empty shells, as you've said. What sorts of options do you see in the future and what sorts of steps do you think you may have to take in order to ensure that your section 23 rights under the Charter of Rights and Freedoms are upheld and maintained?

M. Matte : Nous nous sommes battus pendant 23 ans pour obtenir des conseils scolaires de langue française responsables de l'éducation en langue française dans la province, 23 ans. Nous avons comme organisation poussé des causes devant les cours de justice jusqu'à la Cour suprême. Nous avons appuyé des causes pour assurer que les francophones vont gérer leur propre système en respect, avant 23, de ce qui était dans les lois sur l'éducation, et après que la section 23 a été adoptée, sous l'article 23.

1120

Il y a beaucoup de décisions juridiques qui ont été prises là-dessus. C'est notre intention, si le projet de loi 160 est maintenu tel qu'il est prévu, de demander aux cours de justice, jusqu'à la Cour suprême s'il le faut, de vérifier si la nouvelle loi sur l'éducation maintient toujours son respect de l'article 23 de la Charte des droits et libertés.

Mr Wildman: To follow up from that, do you as an association support the decision that apparently some trustees have supported to so-called "suspend" their right to tax property for the provision of education for their students for a five-year period if Bill 160 is passed?

Mr Matte: We cannot support or not support such an amendment and such a notion until we know what the funding formula is. Si la formule elle-même est juste et équitable et permet un financement des écoles de langue française au même niveau dans les systèmes catholique et public que l'on va retrouver dans les écoles de langue anglaise, et à un niveau suffisant — pas tout le monde pauvre — pour assurer une qualité de l'éducation, à ce moment-là, nous pouvons attendre cinq ans et mettre de côté les droits constitutionnels que nous croyons avoir de maintenir le droit à la taxe.

Mais si nous ne pouvons voir cette formule de financement, tant que nous ne la voyons pas, il est difficile pour nous d'accepter, de prime abord, que le gouvernement va tout simplement nous nier le droit de percevoir des taxes et de permettre aux contribuables au niveau local de prendre des taxes pour assurer des programmes que les contribuables eux-mêmes veulent avoir. Un exemple probant, c'est les jardins et les maternelles. Le gouvernement a coupé de beaucoup le financement des maternelles, mais dans aucun de nos conseils scolaires les conseils de langue française ou les sections de langue française n'ont-ils fermé un seul jardin, une seule maternelle. C'est trop important pour nos communautés. Ce pouvoir doit demeurer au niveau de la communauté.

Mr Wildman: On the other issue of the possibility of the provincial government going to court today to file for an injunction under Bill 100, the current law governing collective bargaining for teachers and boards, isn't it rather ironic, as you've indicated, that the provincial government is using the bill to try and ensure that teachers return to classrooms that they are trying to get rid of in proposing Bill 160? If Bill 100 has served, as we believe, the rights and interests of students, taxpayers, parents, boards and teachers in the 20 years or so that it has been in effect, wouldn't it make more sense for this government to leave it in effect and get back to ensuring quality education instead of trying to take away collective bargaining rights for teachers?

Mr Matte: "Irony" is just one word that we thought of when we heard about this.

M^{me} McLeod : Et les autres ?

M. Matte : Les autres, je ne pourrais les dire qu'en français, et j'espère que la traduction ne se fait pas assurer. Vous avez tout à fait raison. Nous maintenons

que le gouvernement devrait enlever — nous l'avons mis dans notre document — les dispositions qui transfèrent les négociations collectives des enseignantes et des enseignants du système actuel vers la Loi sur les relations de travail en Ontario.

Ce n'est pas que nous voulons nous soustraire à la Loi sur les relations de travail de l'Ontario, mais la Loi 100 a permis d'avoir une paix dans le domaine de l'éducation entre les enseignantes et les enseignants, les conseils scolaires et le gouvernement. Le nombre de grèves qui ont eu lieu dans la province sur les milliers de conventions collectives qui ont été signées et resignées depuis 1974 est infime. On parle de moins de 2 %. Dans quel milieu de travail est-ce qu'on va trouver quelque chose de semblable ? C'est toujours circonscrit dans des milieux très, très précis.

Ça a bien servi la population, ça a bien servi les communautés, ça a bien servi le gouvernement, ça a bien servi l'ensemble de la population francophone et anglophone de la province et je pense que ça devrait demeurer.

Mr Wildman: The current provincial government has changed the old English adage, "If it ain't broke, don't fix it," to "If it ain't broke, break it."

The Vice-Chair: You people have a few more minutes if you want to say anything additional.

M. Matte : Je voudrais vous remercier, Monsieur Rollins, de nous avoir reçus ce matin. Non, nous allons terminer ici, parce que nous voulons nous assurer que le retard qui était pris ce matin pourrait être repris, que tous les gens qui veulent présenter pourront le faire aujourd'hui. Je vous remercie.

The Vice-Chair: Thank you very much.

While I'm calling the Coalition for Public Education, John Crump, to the stand, the parliamentary assistant has some papers to file with the committee.

Mr Smith: Very quickly, in response to Mr Patten's request, I'll file for the committee's consideration and information a multi-year review, a 10-year review of Ministry of Education and Training expenditures, which shows in 1995 some \$14.1 billion being spent, and current 1997, \$14.4 billion. I'll file that with the clerk, if I may.

The Vice-Chair: That's filed.

Mr Wildman: Mr Chair, I'd also like the parliamentary assistant to file with the committee information on the success of the current teacher/board collective bargaining legislation, so-called Bill 100, to give us the percentage of work stoppages, either lockouts or strikes, that have occurred since 1975 under that legislation. Is it in fact 2% or 3%, as the last deputation indicated? If it is so low, then perhaps the parliamentary assistant can explain why it needs to be changed.

The Vice-Chair: We will see that he asks for that.

Mrs McLeod: Mr Chair, I'd like to ask the parliamentary assistant to supplement the figures he's presented with the breakdown of the decrease in operational grants, which I'm not sure he provided, versus the required repayment to the pension funds.

The Vice-Chair: Okay, if we can have that.

COALITION FOR PUBLIC EDUCATION

The Vice-Chair: With those delays now, we will start. For the record of Hansard, introduce yourself, and the time has started.

Mr John Crump: My name is John Crump. I am a parent of three children in the Ottawa public school system and a member of the Coalition for Public Education. I just wanted to mention that our group has been doing a lot of work to get information out to parents on what are the contents of Bill 160. I've tabled with the committee a document we produced called *The Big Picture: Ontario Public Education Privatization Checklist*. These are directions for Ontario government ministers and spokespersons on how to privatize education and not really tell people about it.

Today brings to a close a very short period of consultation on Bill 160, the Education Quality Improvement Act. In case anybody's wondering, I have a copy here. It's \$31.50 at the local bookstore. This committee has now held seven days of hearings: seven days for 2.1 million students. We understand that more than 1,000 people wanted to speak to you, but far fewer have actually had that chance, and we wonder why.

You've heard many times from parents, school boards, teachers, students and others with a direct stake in the education system that this bill puts too much power in the hands of cabinet. You've heard from people who have said that this bill is too much, too fast, and that the government must take another look at what it's trying to do. You've heard from people who have said very clearly that for the sake of democracy, this bill should be scrapped. You have heard people's anger over the Premier's and the education minister's admission that this bill is designed to cut at least \$667 million from our children's classrooms. You've heard all this and more, but have you listened? Will Mike Harris listen?

1130

If we've learned anything from the way the current government has operated in the last two and a half years, it is that the formal requirements of democracy have little meaning in the face of an overwhelming desire to push an ideological program, and we have learned that the government has little desire or demonstrated ability to listen to anyone other than its own ideologically pure advisers and its supporters on the right.

The Coalition for Public Education has little doubt about what will happen after today. This committee will go back to Toronto, the government will say it has listened, just like it did this spring with the Fewer School Boards Act, and then this bill will be rammed through the Legislature without any changes.

This government's plan to create a crisis in education has been a resounding success, and you on the government benches should congratulate yourselves. Bill 160 is just the latest manufactured response to that crisis and it must be seen in combination with the Fewer School Boards Act. That bill, which centralized power in the hands of the Minister of Education and his handpicked Education

Improvement Commission, is now creating chaos throughout the province as boards scramble to amalgamate by January 1. I should mention that this amalgamation process is taking place with little or no coherent direction from the EIC. It's happening in a financial vacuum because the government has not released its secret funding formula, and the costs of amalgamation are coming out of our kids' classrooms. We have that word from the minister himself.

Bill 104 set the stage for Bill 160. This new act transfers a massive amount of power and decision-making authority up the ladder from local communities to the cabinet.

Interjection.

Mr Crump: Am I boring you?

What we are left with at the local level — you asked us to be quiet; I ask you to be quiet while I'm speaking.

Mr Wayne Wettlaufer (Kitchener): I was discussing a point you raised, and I think you should be happy that I did discuss it with my colleagues.

Mr Crump: What we are left with at the local level are the mess and the bills. There are no specifics in the bill to tell us what safeguards the government plans to introduce to balance the loss of power at the local level with the centralization of power at the top. Parents are patted on the head and told: "Don't worry. The bill mandates advisory school councils." But it says nothing about training or support, and who are we to advise?

Under this bill, many decisions which were once made by locally elected and thus accountable school boards will now be made by cabinet through regulations. If we have a problem, we'll have to speak to the Minister of Education's voice mail about it because schools and school boards won't be able to help us. Bill 160 takes care of that. If school board trustees try to respond to local needs and concerns that go against central policy, the minister can fire them, fine them and bar them from office, and there's no appeal.

This and all future cabinets will have the power to increase property taxes in secret through regulation without the approval of the Legislature or any other public forum such as a school board. There is something fundamentally wrong with a government, any government, having the power to raise taxes in secret. Where is the accountability? Why won't my elected MPP have anything to say about it in the Legislative Assembly? I would like to remind you of the words of Lord Macaulay. He once said, "The cabinet is not known in law; it is a little private club."

As I said before, we continue to await, like manna from heaven, the oft-promised funding formula. Parents cannot make sense of Bill 160 without knowing how much money the government plans to spend or cut from the system. "Show us the money," is what we keep saying, but we don't get any answers. Granted, the Premier's admission that another \$667 million will be cut clarifies things a little, but these cuts will be implemented, it appears, through Bill 160. The funding formula is not part of this bill. How much more does the government plan to cut?

Why is the government afraid to tell us how much or how little money it plans to spend on our children's education? This is a democracy and we have a right to know these facts.

Government by regulation is in effect government by decree. Governments that rule by decree, and we have seen many examples in this century, do so because they are guided by an ideology or belief system which holds that the end justifies the means. Ideological governments are often totalitarian governments.

In the case of the current government of Ontario, the end is the tax cut. The means include trying to make us believe the system is broken and then centralizing power and control over as much public money as possible. Democratic governments only rule by decree during times of extreme emergency. Since the current government has been trying to make us believe there is a state of emergency in our schools, perhaps parents can be forgiven if we view Bill 160 as the Ontario government's educational equivalent to the War Measures Act. There are some differences, of course. One important difference was that once the War Measures Act was lifted, citizens regained their lost rights. Under Bill 160, our rights are gone permanently.

Having witnessed the contempt which greeted the recommendations for changes to the Fewer School Boards Act last winter, we are under no illusion that this government will listen if we say, "Withdraw this bill." Nevertheless, that is what we think should and would happen in normal democratic times. So we say it: Withdraw this bill.

However, these are not normal times; therefore, we have another suggestion which will allow the government to proceed with its legislative agenda and allow people to speak. The Coalition for Public Education calls upon this committee to recommend to the Premier of Ontario that this bill be set aside and that a referendum be called to determine whether it has the support of Ontario residents. A referendum will allow a cooling-off period; I need one too. More importantly, it will allow the proper dissemination of concrete information on the bill, its contents and the intent of the government.

During the lead-up to the referendum, the government will have an opportunity to release its funding formula and supply answers to the many questions that parents have both about this bill and about the government's overall agenda. A referendum will allow all sides to air their views on this important issue of education reform. We do have a recent precedent, of course, with the referendum held in Newfoundland on school control.

If the government is right and these changes are necessary and beneficial and will enhance the education of our children, we have no doubt that the public will support them. If we are right and this bill represents a threat to our individual and collective rights as citizens, then we are equally sure it will be rejected. Either way, democracy will have been served, and when all is said and done, democracy is what is at stake here.

The Vice-Chair: Thank you very much for your presentation.

Interruption.

The Vice-Chair: We have had a recess for that; we don't need another one.

We have less than a minute left, if you have anything else you would like to add. It's hard to split a minute three ways. No? Okay. Thank you very much for your presentation.

LINDA DANSKY

The Vice-Chair: At this time we will call on the next presenter, Linda Dansky.

Ms Linda Dansky: My name is Linda Dansky, and I'm a parent of children in the Ottawa Board of Education. My husband and I constitute one of those special interest groups alluded to by Mr Harris in his homily on TV the other evening. We are called parents.

As parents of four young children, we are appalled by the apparent cynicism displayed by the Premier in his speech, especially in his attempt at having parents believe they will have more power in the education system with the passage of this bill. We will not allow any Premier to bamboozle us into believing that taking over \$1 billion out of the education system, whatever else he might do, is good for either his or my children.

Some \$533 million have already been taken out of the system, to the detriment of many fine programs. As Mr Harris has recently acknowledged, an additional \$670 million will be cut next year. Is this to be done in order to improve the system? Ontario's parents understand that whatever the motives of the teachers in this dispute, Mr Harris's first interest is not the quality of education, as he claims.

Mr Harris alleges that Ontario's expenditure per pupil is one of the highest in North America. He uses this as an excuse to justify cutting excesses. In fact, per pupil expenditure for the last school year, 1996-97, ranges from 46th to 49th out of 63 jurisdictions in North America. We are below average in spending and at the same time have an expensive-to-educate immigrant population. Please see appendices A and B.

What disturbs us most about this bill is not only how it takes power away from local communities and centralizes it at Queen's Park, but also how it allows the cabinet to rule by decree in education matters. Mr Harris must realize that he will not be in power forever and that this law will give the same power to any future government to impose its ideological will on a recalcitrant populace, as it will the current Conservative government, once it is passed. Bill 160 gives the government omnipotent power.

The Education Improvement Commission set up to implement the reforms until 2001 is only accountable to the party in power, which may very well be either the Liberals or NDP in as short a time as two years from now. Does the government really want that? I don't see why anyone would want any political party to have inordinate influence fed by ideology on our children's education.

The reforms appear to have the aim of making administration of the education system easier. Unfortunately, the

minister is overlooking the fact that although more efficiencies are a desirable goal, we need our teachers to work with us. This bill puts the teachers up against a wall. As professionals, teachers know a lot about education and have an interest in the excellence of the system they serve, not only in themselves. Teachers are parents too, and they also volunteer for many activities for which they are not paid. Without their goodwill and cooperation, our children and our society will suffer in the long run.

Student-teacher ratios are a very important issue for us. Because this bill never discusses actual numbers, future government, or even this one if it is so inclined, could in fact increase the student-teacher ratio and not decrease it. To commit the government to controlling class size as the bill does and either to remove money or to remove teachers from the system is in effect to control class sizes so they move upwards, not downwards. This has already been borne out by the results of cost-cutting.

1140

We are very strong supporters of a low class size, but not at any cost. If the government does not intend to use the savings from the reforms in order to hire more teachers and thereby decrease the student-teacher ratio, then the teachers will have to come from alternatives that carry a variety of risks. For example:

(1) If the low student-teacher ratio comes from non-certified teachers, we risk lowering the standard of education.

(2) If the low student-teacher ratio comes from further cuts in ancillary staff, we risk depriving the students and the front-line teachers in the classroom of much-needed support staff. Reducing support staff is not a minor matter; it is like amputating a limb from a body.

(3) Mr Snobelen stated that cutting preparation time will allow him to get rid of 4,400 teaching jobs and save \$200 million annually. If this occurs, a lower student-teacher ratio is not possible. Other jurisdictions such as California have learned from their mistakes. California is increasing the amount of money it spends on education in order to increase teachers' preparation time and decrease class sizes. Why do we have to emulate their earlier mistakes?

(4) Does losing essential programs such as library, physical education, special education and music enhance the overall education system? We absolutely need smaller classes, but in order to achieve this, we need more money in the system, not less.

Our children are our most important resource. To cut investment now in the infrastructure supporting our children's education is investment folly. These shortsighted measures will surely impact negatively on the bottom line of the educational balance sheet of our future citizens, today's children. On the other hand, the return on educational investment, if wisely made and allocated, can be enormous.

The cabinet is taking for itself absolute power over the education of our children. Why should we give them the power to decide for us what is best for us? We are a democratic community of adults, and this government's

kind of democracy is a centralized bureaucratic dictatorship. Bill 160 ignores Ontario's long tradition of reaching consensus through the democratic process.

In this bill, sweeping powers are reserved for the Lieutenant Governor in Council. The cabinet is given absolute and total authority over every aspect of the schools' functioning. This is at the expense of the existing voice that local parents, teachers and boards currently enjoy. Local control over local issues is a very important way to ensure that local needs are met. Under the bill, the minister can set tax rates by regulation. Control over the purse is crucial in having a voice. How stupid does the government think parents are? Parents want more equitable funding, but not at the expense of losing their local voice.

Imagine that it is the year 2001. John Lenin-Trotsky has come out of nowhere to lead a strident leftist government dedicated to spending itself out of what it hopes will be a mild recession. It has rehired thousands of unemployed teachers to teach progressive courses such as "On the Unethical Nature of All Wealth." The tools to do this have already been given the new government by an obliging Mike Harris. Of course, they never thought they would ever lose power, nor that the very tools they once used to force their will over a bewildered populace would now be available to the opposition to use in the same ideologically adherent way over the same, now even more bewildered, populace. Laws, for better or for worse, last long beyond governments. We can do so much better than this dangerous bill.

A few examples of extreme centralization of potentially coercive powers that will be easy to misuse are:

(1) The injunction against the exercise of school board powers:

"257.46 The minister may by injunction proceedings prevent the exercise by or for a board of any of its powers that has not been approved by the minister...."

(2) Ministerial appointment:

"257.48(2) The minister may appoint a person, who may be an officer of the board, to exercise the powers and perform the duties that the minister may provide, and the person so appointed shall be paid the salary and allowed the expenses that the minister may determine."

In other words, while the rest of the board get a pittance for their service to the community, the lackey of the minister — and it could be an NDP or Liberal minister one day — could be paid as much as the minister decrees, plus expenses, and have executive power over the board. They did this sort of thing in a different way in Communist Russia and China. There are no checks here for abuse of power, which, as we are in the process of observing, is an inherently human trait.

(3) Payment of salaries and expenses:

"257.48(4) All salaries, fees, remuneration and expenses payable under this section and all other expenses incurred by the minister in carrying out the provisions of this division or in the exercise of his or her powers under it shall be paid by the board and be chargeable to such of its accounts as the minister may direct."

In other words, the minister can spend money indiscriminately in opposition to a board's wishes and interests, and charge the board for this privilege. Let's call this one the democracy of the proletariat.

Here's another provision of the bill that seems to exemplify the arrogance of the designers of the bill. It is entitled "Protection from liability," section 138:

"No proceeding for damages shall be brought against... the Education Improvement Commission or a member or delegate of it...for an act done in good faith in the execution or intended execution of any duty or authority under this act or for any alleged neglect or default in the execution in good faith of such duty or authority."

Do doctors have this privilege? Do lawyers? Why should the Education Improvement Commission be above the law and not be accountable for negligence?

As we have said elsewhere, emasculating the boards will not eliminate inefficiency; it will only perpetuate it at a higher level of centralization. Human beings are inefficient. It is better to have these imperfections under control close at hand than hidden in some faraway bureaucratic place. There is no defence against the abuse of such sweeping powers as the cabinet wishes to grant itself. There are no powers on earth that have not been abused, and although centralized power is more efficient to implement, it is also more dangerous for this precise reason.

Now with the minister's representatives on the boards themselves controlling the agenda of a volunteer board, we will rarely see local concerns finding a voice.

Parents like us are for the kind of change that is slow and deliberate, respects our democratic traditions, and addresses the diverse needs of local communities. Instead, government seems bent on sacrificing our consensus-based democratic system of education for a centralized dictatorship. Are five toes better than six? Are they better because they conform to the norm? Cuts to education and mediocre sameness as dictated by cabinet will not serve our children well for the demands of the 21st century. As in the broader scheme of things, genetic diversity is essential if a species is to survive and flourish.

The Vice-Chair: Thank you. You've used up close to the 10 minutes. If you'd like to make one more statement, there is a moment or two for that.

Ms Dansky: I think Bill 160 has a lot wrong with it. I think it should be withdrawn. I agree with John Crump about holding a referendum concerning Bill 160.

The Vice-Chair: Thank you for your presentation.

KIRSTEN KOZOLANKA

The Vice-Chair: At this time we call the next presenter, Kirsten Kozolanka. That's probably not the right pronunciation. For the record, state your name, and your time has started.

Ms Kirsten Kozolanka: My name is Kirsten Kozolanka — it wasn't bad. I am pleased to be here today, on this last day of hearings on Bill 160 — pleased not because it's an honour or a pleasure, but because the odds were so much against it, especially after this government

did its best to close down public consultation by using its majority on the standing committee to pass a motion limiting even this last form of public input. The last I heard, more than 1,200 individuals, groups and umbrella groups had applied for the very few spots available in the only seven days of hearings.

I'm also pleased to be here because today, the last day of hearings, marks the final opportunity that the citizens of Ontario will have for input into their children's education. After today, when Bill 160 goes to the Legislature to be passed into law, future changes will be implemented through regulation and I will no longer be consulted.

My presence here today also leaves me with somewhat of a dilemma: Do I play the role of reasonable citizen, hauling out my research to present a cogent case against this legislation, or do I let loose the primal scream that has been building in my soul for two years as I have watched this government hang my children's future out to dry? I can't help but see these last two years as a blueprint for citizen exclusion from democratic decision-making. As John Ralston Saul has said, this government prefers the Napoleonic idea of government — impose fast, massive change — and that, by definition, precludes citizen participation and the whole slow process of representative democracy.

You see, I don't think the rational arguments work any better than the emotional ones for this government, because I don't matter to this government — not me, not people like me, not anyone the government suspects may not have voted for them in the last election. This government has forsaken a basic tenet of representative democracy: that those who are victorious in elections look after the interests of all the citizens, even those who didn't vote for them. But that has not been the way of this government. They started in that classic way of all efficient totalitarian governments by preying on the most vulnerable and most marginalized in this society: the poor, who had their welfare payments reduced, the young offenders, who ended up in boot camps, and so on. We don't know any welfare bums or young car thieves, or any of those other people, so we let that go.

1150

When the government started in on education, we swallowed hard, but Minister Snobelen told us there was a crisis in education — well, he was going to create a crisis is what he said — and we believed it. He spoke the magic words “duplication” and “waste,” and in a flash almost \$1 billion was gone from education funding. Such was the cynical use of public opinion that he didn't have to prove it; he just had to say it.

Once the government's ability to siphon money away from the education system without serious opposition was established, the time was ripe for the corporate takeover. Mega-week, with all its confusion and chaos, struck. Bill 104, the Fewer School Boards Act, was only one of the government's bills that limited the democratic process. Bill 104 was introduced in the name of education reform, of improving the quality of education, but there has never been a clear delineation of how the rhetoric in the Minis-

try of Education's news release of January 13 matched the measures laid out in the bill.

The hype around Bill 160, the Education Quality Improvement Act, similarly promises quality education, but really seems to deal with who gets to run the show: the provincial government. They said they wanted Ontario students to perform better, but it was never explained what that meant or how it could be achieved. They removed local school board control while grandly requiring every school to have an advisory school council. Let me get this straight. Less money goes to education, programs get cut, staff lose jobs, volunteers — the parents — take over, and miraculously students do better?

It was as illogical as it was necessary to achieve the government's real goal, which, as it happens, was not and is not quality education. Instead, the goal is to fund the promised 30% tax cut. In this context, rational argument to support education doesn't matter any more than my opinion does, and all the myths the government has created to stimulate acceptance of their initiatives only need be repeated until they are believed. If you repeat the ideological mantra that the system is broken long enough, people stop trusting their own experience and begin to lose faith in the system.

What myths have the Premier and the government been spreading about our schools? That Ontario students don't do well compared to other Canadian students or on international tests. Wrong. The third international mathematics and science study, which is the one often cited to support this myth, says two things clearly: first, that there is little point in ranking countries unless the results can be explained, which of course this government never does, and secondly, that Canadian students performed very well on the mathematics survey. In addition, the mean score for Canada on the overall science test was significantly higher than the international mean.

As for how test results stack up against the rest of Canada, here's just one point to make, of many: This government conveniently forgets that Ontario is the province with the highest immigration, fully half of the Canadian total, with half of those children requiring English-as-a-second-language programs. The inevitably lower scores of these new learners are included in test results.

Another myth: that we spend more on education in Ontario than most other provinces. How deliberately misleading. What kind of comparison can possibly exist between, say, Yukon, with its \$14,000-per-pupil expenditure, and PEI, at the other end of the scale, with its \$4,000? Ontario, if we are to use this kind of comparison, with \$6,500, spends less than the Canadian average. There are many legitimate factors that influence education spending in Ontario: geographical density, the expenditure for two extra years of school — JK and OAC — high levels of immigration and ESL needs, to name a few. A closer look at these factors makes a compelling case for increasing education expenditure.

Here's my favourite myth, the one the Premier led with in his fireside speech on television last week. “Between 1985 and 1995,” he said, “student enrolment increased by

16%, inflation rose by 40%, and education property taxes rose by 120%." The Premier, with deliberate intention to mislead, did not complete the equation. In the same period of time, the share of education expenditure by governments in Ontario decreased steadily, and stands at an all-time low of 40%. School boards during that time were forced to raise property taxes to balance budgets and maintain their programs. Without that increase in local revenue, a whole generation of Ontario children would have lost a quality education.

But truth and accuracy aren't the point, are they? Not when the stakes are as high as \$1.7 billion in education cuts. In that context, Bill 160 is a natural expression of any totalitarian government's belief that the ends justify the means. Bill 160 is one of its many bully bills, omnibus bills, full of anti-democratic clauses intended to be rammed quickly into law without the opposition in the Legislature or the public being given enough time to discuss and debate as they should in a representative democracy.

The Ontario government is not alone in its attack on public education. In fact, it's distressingly familiar. In selected jurisdictions in industrialized nations over the last 15 years, governments have similarly downsized, down-loaded and restructured education. Great Britain, New Zealand, Australia, some jurisdictions in the United States, Alberta and New Brunswick have all undergone the same process. These governments have based their actions on claims of inadequate, broken systems that require massive restructuring. Not coincidentally, this restructuring comes with a substantial loss of education funding.

What is the result of these attacks on public education? In New Brunswick, parents have rioted. In Alberta, the school boards association has sued the government, and teachers just last week protested in front of the provincial Legislature. In Great Britain, the Labour Party in the elections last May made education its number one priority, saying, "Labour will invest in a radical extension of educational opportunity for all our children." The Labour Party further pledged to guarantee a year's preschool education for every four-year-old, improve teacher training and morale and tackle the backlog in school building repairs. Most significantly, Labour pledged to raise the standards of education that years of devolution under the Conservatives had undermined. That, more than anything, should tell us what we need to know about what is happening to education in Ontario today.

We have been scratching our heads trying to find the connection between such measures as slashing \$1.7 billion in education funding, laying off 7,000 teachers and decreasing teacher prep time on the one hand, and the boast that the quality of education will improve on the other. There is no connection, other than it is the fastest way to a tax cut. It reminds me of Newspeak in the Orwellian world of 1984: War is peace; freedom is slavery; ignorance is strength; and in Harrisspeak, cutting is quality.

Why must this government always appeal to the lowest common denominator?

The Vice-Chair: Thank you very much. Your allotted time has expired. I appreciate your presentation.

At this time — it is now 12 o'clock — the book says that we recess. However, is it the wish of the committee that we proceed with the next half-hour presentation? Okay, so be it.

1200

INDIGENOUS EDUCATION COALITION

The Vice-Chair: We call the next group, the Indigenous Education Coalition. For the record of Hansard, state your name. You have a half-hour to use as you see fit.

Mr John Peters: Good morning. My name is John Peters. I'm here representing the Indigenous Education Coalition. I apologize for not having additional copies. I will make them available at a later date.

I'll just preface my comments so that you can get a frame of reference of where our presentation is coming from. The Indigenous Education Coalition is located near London, Ontario. Our member communities are mainly located within southwestern Ontario.

The IEC is a second-level service delivery organization for 12 first nation communities. We assist those communities in various areas of education that help support or enhance their education programs. One area we are currently involved in is servicing the communities and assisting them in the development, review and negotiation of tuition agreements with provincial school boards.

The coalition is a non-political body whose focus is mainly service delivery, so you may ask, "Why are you sitting here today?" The changes that are proposed to the Education Act through Bill 160, which I guess is a political issue, will impact on our first nation communities, specifically those which have tuition agreements with provincial school boards. That would be the majority of the members of our coalition. Therefore, I'm here on behalf of the IEC to present some of the concerns that have been identified by various members of our organization.

First of all, I don't come to this table to represent all first nation communities or to offer a formal position of the first nations or a formal position of the IEC in regard to Bill 160; rather, I'm here to offer comments as they relate to potential impacts of any changes because of Bill 160 on the IEC member communities.

Our interest in Bill 160 stems from the fact that it proposes to amend the Education Act provisions regarding agreements with first nation communities to purchase education services and first nation representation on boards of education.

While many of our communities are operating successful education programs in their own communities, a great majority of our first nation communities are still purchasing those education services from provincial school boards, whether they be elementary education, secondary education or both. Therefore, the changes to the system that we're purchasing services from will definitely impact on our first nation communities. The IEC first nation

communities and other first nations within Ontario are definitely valid stakeholders in provincial education.

Tuition agreements for education services are negotiated individually with provincial school boards. However, the first nation communities have been guaranteed representation through the provisions in the Education Act. This representation is most often shared between one or more first nation communities, depending on the proximity of the communities within the school board's catchment area.

If we look at the bigger picture though, as we've seen this week, because of anticipated impacts we've seen a segment of mainstream society openly expressing their objections to the changes that will result if Bill 160 is passed, whether they're real or whether they're perceived. We offer no opinion or position regarding the position of those in support or those opposed, but it should be noted that our communities that purchase services are being negatively impacted during current disruption in education services. Like everyone else, we can't predict whether changes to the system will be beneficial or detrimental to the thousands of first nation children in the provincial school system.

In the past the provincial school system, and the federal school system for that matter, have not had an overwhelming success as they are for most first nations children, whether they're products of the residential school system or the integrated model now used in the provincial schools.

Due to those bad experiences with non-first nation education systems, many first nation people may be reluctant to envision the changes coming from the current provincial government will be beneficial to first nation children. However, each community that purchases education services from their local school board will have to evaluate the changes as they occur, if they occur, on an individual basis and determine whether or not they're being provided with the services for which they have contracted. They'll also have to evaluate whether or not the services are of the quality that is sufficient for the educational needs of their children.

Since you've had a wealth of input from various sectors in regard to Bill 160, I'm going to focus my comments in one area, and that is in regard to section 188 of the Education Act and the proposed amendments to that section.

Currently section 188 provides for the authority for boards to enter into agreements regarding the education of Indian pupils. Subsections (1) to (4) of section 188, which are not being amended, ensure that school boards will still be able to enter into agreements for the education of Indian pupils and will still be allowed to accept money for those students and for expenditures for the erection of school buildings for instructional purposes or to accept money for additions to those schools.

However, the subsections that are being deleted or proposed to be repealed provide the details regarding the appointment of first nation representation on provincial school boards. It is proposed that subsections (5) to (13) be repealed. Those sections deal with the issues of the appointment of representatives and additional appoint-

ments where enrolment numbers warrant. The sections give boards discretion to appoint first nation representation and to identify rules for the calculation of enrolment when dealing with appointments. They specifically state the role of the appointed member and that they are in addition to the elected membership. The section dealt with the issue of vacancy in office. It dealt with the whole notion of first nation representation and what role that person would serve on the provincial school boards.

But now under Bill 160 that authority is being given to the Lieutenant Governor in Council to make regulations providing for representation on boards and those regulations then would identify the type and extent of participation by the person appointed.

Now it's understood that those communities that have representation or shared representation on provincial school boards will be subject to the provisions under the Fewer School Boards Act. The amalgamation of school boards will impact on first nation representation. We participated in that consultation phase and I share the sentiments of a previous speaker who said we were given a really short time to respond to these issues. At that time there were objections from the first nation community regarding the reorganization or amalgamation of provincial school boards because there was a general sense among the first nations that they would be losing trustee representation which existed under section 188 of the Education Act.

Although this new legislation will provide for regulations to be made regarding the appointment of first nation representatives and gives the Education Improvement Commission authority to identify issues relating to the representation on district school boards, just as Bill 104 before it, Bill 160 now does not go far enough in ensuring that first nation communities will be part of the decision-making process that will determine first nation representation on provincial school boards.

First nation communities are very diverse in nature. Even with the IEC membership, whose communities are located relatively within the same geographical area, they're very diverse and distinct communities. Not only are the first nations culturally distinct, each are at various levels in terms of administration and governance of education and other programs. In changing guidelines to first nation representation on the new school boards, it is imperative that the government recognize the uniqueness of each first nation. One member from a first nation cannot presume to represent the needs and interests of four or more other first nation communities that may have very different educational needs for their children.

With the proposed changes in Bill 160 there's a loss of that guaranteed representation. While the representation provided for in the Education Act has been seen to be less than ideal due to the sharing of representatives, the situation now appears to be even worsening. It could be interpreted as denying representation. The guidelines for representation are being repealed before any new guidelines are firmly in place to ensure that adequate representation is guaranteed.

It can be seen by many as a great injustice when denying representation to which first nation communities are entitled. The right to representation through tuition agreements which was provided for in the Education Act is being eliminated and left to as yet undeveloped guidelines for which someone other than the first nations will have absolute decision-making authority, when at the very least it should be a shared responsibility.

When presenting potential negative impacts because of these proposed changes, it's only fair that some options be presented to you for consideration.

The first option is to amend section 188 to ensure that representation is given to each first nation community for each tuition agreement that is entered into by a school board.

The second option would be to leave section 188 as it is until there are new guidelines for representation developed by the first nation and the school districts and/or the provincial government.

The third option would be to amend section 188 possibly to make representation a negotiated item between the school board and the first nation. The only downside I see to the third option is that often the first nations may not have the bargaining power that boards possess.

In general, those are the comments that I wanted to share with you. There was only one other issue and that was in the definition section in the definition of "education authority." "Education authority" currently "means a corporation that is incorporated by two or more bands or councils of bands for the purpose of providing for the educational needs of the members of such bands." Bill 160 proposes to change it to "means a corporation that is incorporated by one or more bands or councils of bands...."

The change to one band in recognizing an education authority I think is a positive change since many first nations do appoint education authorities and give them complete authority to deal with education matters in their communities. The only suggestion I would have is not to limit it to education authorities that are incorporated. If you're forcing the first nation to incorporate an education authority to devolve that authority to someone other than the band, you're forcing the jurisdiction of the provincial or federal government, depending on who incorporates the education authority within the first nation territory. So if the definition includes all education authorities and gives the first nations the right to choose if they wish to incorporate or not when giving the authority for education to a body other than the band or council of band, I think it would be a lot more flexible for the first nations.

1210

In conclusion, I want to thank you for giving me the opportunity to come here on behalf of the Indigenous Education Coalition. My comments in no way represent, I don't feel, the entire first nation community in Ontario and certainly we would have appreciated probably a lot more time to look at this issue and present concerns, and probably a lot more groups would have been able to do so.

But what I want to stress to you is that our first nation communities are very diverse and culturally distinct, not

only from mainstream society but, in many instances, from one another. So provisions must be made to deal with these differences and give the recognition in terms of our representation to the first nations that has long been denied.

I think we share a common goal, and that's the provision of a quality education to our children. First nations deserve valid and recognized representation in the decision-making process, especially when those decisions affect first nations children. As the IEC has printed on its pamphlets, my closing comment is: "Education is the key to our success. Together we can make a difference." I think the key word in that is "together."

Change is not necessarily bad all the time, but if change is forced on people, you're going to get the reaction that you've seen this week. In my opinion, the first nation communities are no different. If there's going to be change and it's going to affect us, let us be a part of that change. Let us make the decisions for ourselves.

The Vice-Chair: Thank you for that presentation. We have approximately five minutes per caucus, starting with the Liberal caucus.

Mrs McLeod: A couple of questions. Can you tell me what you're afraid might happen in terms of representation of first nations with regulatory powers? Are you afraid it might limit it; when you speak of the diversity of the first nations people one from another, that that won't be adequately reflected in terms of the numbers of first nations people represented on school boards?

Mr Peters: I feel that there won't be adequate representation on school boards with the new structure. There are no guidelines in place so I'm guessing —

Mrs McLeod: I know. We all are.

Mr Peters: — that first nation representation will be significantly less than what it is today. That is not acceptable to many first nation communities.

Mrs McLeod: You provided three options. Do you have a preferred option?

Mr Peters: Certainly I do. I'm sure it was number one.

Mrs McLeod: I suspect it was too.

Mr Peters: Yes, that section 188 be amended to ensure that representation is given to the first nation for each tuition agreement that is entered into by the school board.

Mrs McLeod: That sounds like you have wording that would constitute an amendment. Can you provide that wording to the committee so that it could be considered as an amendment?

Mr Peters: We certainly would be able to do that.

Mrs McLeod: Thank you.

Mr Grandmaitre: Can you tell us more about your funding? What is the formula used to fund your coalition?

Mr Peters: The coalition?

Mr Grandmaitre: Yes.

Mr Peters: It's funded by the first nation communities out of the education budgets.

Mr Grandmaitre: Is the provincial government using the same per pupil formula?

Mr Peters: We're not funding schools. The coalition is a second-level service delivery organization, so it works

with the education administration programs of the first nation communities.

Mr Grandmaître: I see. Thank you.

Mr Wildman: Thank you very much for your presentation. I understand the problem you've got. One of the major problems with Bill 160 is that there's so much regulatory power given to the minister without any details of how that regulatory power is going to be exercised that it's very hard to make presentations. I understand the difficulty you have.

But with the passage of Bill 104 and the amalgamation of school boards, the reduction in the total number of school boards, it seems to me that while at the time we raised concerns, as did representatives of the first nations, about first nations representation on boards with which there were tuition agreements, because of the fact that the new boards often would cover such wide territory that they would include many first nations communities, the question then was, how do we maintain proper representation for first nations so that first nations would have proper control over the education of their children in those systems?

Isn't the serious problem about diversity that you raise that if the minister exercises his power under the regulatory nature of this bill, you may end up possibly with an Ojibway or Chippewa representative of one first nation supposed to be appointed to represent not only the people of his own first nation and the other Ojibway or Chippewa nations in the area but also the Iroquois nations, members of Six Nations communities and so on and that they may not and wouldn't claim to have the authority or the knowledge required to ensure proper education for those other nations' children? Is that the problem?

Mr Peters: As far as I can tell, it is.

Mr Wildman: If that's the problem, I understand your proposed preferred option.

Mr Peters: Right.

Mr Wildman: But if that doesn't happen, could you remind me of your second option, what the proposal there was?

Mr Peters: To leave the guidelines as they are in place until new guidelines can be developed by the first nations with the school boards and/or the provincial government.

Mr Wildman: Can I expand this question a little bit further? If the question of representation were resolved using one of the three options, then are you also concerned about the overall impact of Bill 160 with regard to the powers that school boards will have, as opposed to the concentration of power at Queen's Park over the education of both indigenous aboriginal first nations children and non-native children?

Mr Peters: That's not really a fair question to ask me.

Mr Wildman: You don't want to make it political.

Mr Peters: No.

Mr Wildman: Okay, I understand.

Mr Peters: Yes, and given the time frame, we haven't really studied the full impacts of Bill 160 in every aspect.

Mr Wildman: Right. I don't know how to delicately ask this question, but do you understand or appreciate the

concern the non-native community might have in these large expanded boards? In some areas, whether it be southwestern Ontario or other parts of Ontario, if each first nation had a representative, you might indeed find a situation where there would be more first nations representatives on the board than is allowed for under Bills 104 and 160 for the non-native communities in the area.

Mr Peters: I'm sure that you could trust us with the education of your children.

Mr Wildman: I agree with that, but this does present a conundrum for both the first nations and the non-native communities.

Mr Peters: It is a big issue and I don't think there is any easy answer to it.

Mr Wildman: No.

Mr Peters: The point is that we're not satisfied with the reduction in the representation.

Mr Wildman: The point I'm trying to make is that that is a serious problem for first nations communities, but it's a problem for the non-native communities in these amalgamated boards as well.

Have there been attempts by the first nations in your area to negotiate with the federal and provincial governments self-government agreements over education, or are they already in place?

Mr Peters: It varies from community to community and I couldn't speak to that.

1220

Mr Wettlaufer: Thank you for appearing before us today with your presentation. I appreciate the fact that it was non-political in spirit. All through the north, when we travelled through the north this week, we heard time and again about the lack of textbooks, the lack of supplies, the lack of funding for the boards, the lack of computer facilities. This affects the indigenous population probably as much as any other segment of the population because so many of the indigenous population is located there. A far greater proportion of the population is indigenous there, as opposed to southern Ontario.

We have seen over the last 10 years a total increase in enrolment in the schools of 16%. We have seen a total increase in taxes of 120%. Now, I asked someone yesterday and I wasn't sure about the answer I got, "Do you believe that this money is somehow going into some vacant space?" I asked yesterday where this money is going. Does anybody wonder where it's going? Do you wonder where it's going?

Mr Peters: Do I wonder where what money is going?

Mr Wettlaufer: Where the increase in funding is going. We have only had an increase in enrolment of 16%, inflation has gone up in that 10-year period by only 40%, and yet the increase in property taxes for education went up 120%. But it hasn't benefited the school boards of the north. Do you wonder where that money is going? Do you wonder why those school boards are penalized? Do you wonder why the students in those areas are not receiving the same benefits as students in other areas, in southern Ontario in particular?

Mr Peters: I'm not familiar with the situation in the north. As I mentioned, our communities are mainly located in the south. I recognize that the problems in the north are very different from the problems that are experienced here in the south. I'm not certain that I fully grasp what you're asking me and how it relates to —

Mr Wettlaufer: As a spokesman for an indigenous people's group, are you not as concerned about the educational opportunities for those peoples in the north as you are for those in the south?

Mr Peters: I certainly am, but I certainly can't speak for the first nations in the north, as I mentioned, in that I don't represent all of the views of all of the first nations in Ontario.

Mr Wettlaufer: That's okay. I'm just looking for your personal opinion, that's all.

Mr Peters: I'd prefer not to share my personal views because I have a lot that I could share with you.

Mr Wettlaufer: Do you believe that they should have the same opportunities as they do in the south? Let's put it that way.

Mr Peters: I believe everybody is entitled to a quality education.

Mr Wettlaufer: Same opportunity?

Mr Peters: I believe everybody is entitled to a quality education.

Mr Wettlaufer: The same opportunity for a quality education?

Mr Peters: The same opportunity to a quality education.

Mr Wettlaufer: Thank you very much.

Mr Smith: Thank you for your presentation. I just wanted to revisit the comments you made about the definition of "educational authority" so that I understand the position that you're articulating; so if you could just revisit that for me, please?

Mr Peters: Currently, in the Education Act in the definitions section it states, "'education authority' means a corporation that is incorporated by two or more bands or councils of bands for the purpose of providing for the educational needs of the members of such bands." So there may be one first nation or two first nations that join efforts and establish an education authority and it deals with all the educational matters of those bands or that band. The provision in Bill 160 allows the definition to include an education authority of only one band, which is a positive change.

Mr Smith: Okay, thank you. I just wanted to get clarification on that.

The Vice-Chair: Thank you for your presentation. This brings to a close — oh, just one second. Mr Patten?

Mr Patten: Yes, I want, Mr Chair, if I may, to say thank you to the parliamentary assistant, who provided the information that I asked for — and this also deals with the question Mr Wettlaufer asked. The expenditures for 1997 show in total that indeed there is an increase from 1996 to 1997, but I think it's important to point out that the increase is due to contributions to teacher pensions and to a much-needed higher capital cost. When we look at the

most important aspect, called the operating budget, it is the lowest since 1992, and that's during a period of time, the last five years, in which we have had a growth of 86,000 students in the system, with the contribution to the operating budgets of the schools of Ontario being less than what they were in 1993. I think that answers Mr Wettlaufer's question in part.

The other question he asks is that the increase, as has been mentioned by testimony here — it's not reflected in these figures, and if I'm wrong I'd like to have the government side table these — the increase compensated for the decrease in government funding to school boards. That's why the tax increases, because they were forced to compensate for the drop in grants from the provincial government, not only your government, to the school boards. To compensate for that, to maintain their programs they had to make the increases, and of course they had trustees there to explain locally why this was being done.

So I'd like that, if I may, Mr Chair, to be put on the record, and if I'm wrong, I would like to have the parliamentary assistant table the figures to show that I'm wrong. Remember, 86,000 students, even at an average of \$4,000, amounts to \$344 million at the lowest rung, and that's even lower than what you're paying on a per student basis now. At least \$344 million, maybe \$350 million, is reflected in all of the school boards of Ontario, which had to eat those costs because they are obliged to provide schooling for every single child who enters the school in September.

Mr Wildman: Just a very short comment and question. Obviously what Mr Patten puts before the committee is the reason for Bill 160 being brought forward, because this government does not want local school boards to be able to make up for the loss in grants any further. They want to take the money out.

The one question I have for the deputant is: I don't know whether you might have the numbers now — if you don't, could you provide them to the committee — but can you tell us the total number of students that your organization is responsible for, aboriginal students that are going to school boards in the area for education, and the total amount of tuition that is paid by the first nations in your area for those students' education? If it's possible, as well, could you give us the totals for the province in terms of the number of aboriginal students in Ontario schools and the total amount of tuition paid by first nations to school boards for the province?

Mr Peters: Those are certainly numbers that we would be interested in knowing. It would depend on if the first nations chose to share that information with us.

Mr Wildman: Certainly. I understand that.

Mr Peters: It's certainly something we'd be willing to look at.

The Vice-Chair: We've exhausted our time now with these other couple of things. This room will be cleared, so everybody will take what's left in here. It will be locked during the recess, so take your personal belongings with you from the audience. We stand adjourned until 1:30.

The committee recessed from 1229 to 1338.

The Chair: Good afternoon. The committee welcomes the attendance of Alex Cullen, our newest member, the member for Ottawa West.

CARLETON ASSEMBLY OF SCHOOL COUNCILS

The Chair: Our first presentation this afternoon is Carol Nixon. Welcome, Mrs Nixon. Please proceed. You have 10 minutes, starting now.

Mrs Carol Nixon: Thank you for hearing the collective voice of the 83 school councils of the Carleton Board of Education. My name is Carol Nixon and as president of the Carleton Assembly of School Councils, I am that voice today.

The school councils of Carleton would dearly like to believe that Bill 160 supports a comprehensive plan to reform education in Ontario. We would like to believe that Bill 160 is focused on meeting students' needs. But the fact is, we have heard this government's plan to create a crisis in education, and seen crises come to pass in the form of school board amalgamations and poorly implemented reforms in important areas such as curriculum.

We have heard this government's promise to spend whatever is needed to ensure high quality education, yet we have learned of the deputy minister's performance contract to cut \$1.2 billion from education and the minister's own admission of an underlying cost-cutting objective.

We have observed this government's confrontational approach with teachers and experienced the resulting province-wide illegal strike. In short, this government has created an atmosphere of instability and mistrust. As a result, we are not prepared to write the government a blank cheque under Bill 160.

While Bill 160 has far-reaching powers, it's remarkably short on specifics. The devil is in the details: regulations the government would be able to make or revise with little or no public input. As a general principle, we believe that fundamental changes should be explicitly embodied in legislation with the attendant safeguards of review and debate.

We have grave concerns about whether this or future governments would exercise responsibly the unprecedented regulatory powers under Bill 160. We insist therefore that checks and balances be put in place to ensure that the regulations contemplated by the bill will in fact improve the quality of education for all students. In particular, there needs to be a clear and legislated requirement for timely and meaningful consultation with stakeholders built into the process for drafting and implementing regulations pursuant to the bill.

At this juncture, the government would do well to divide the bill into three or more separate pieces of legislation in order to have in place the provisions needed for the establishment of the district boards on January 1, yet still allow for sufficient public debate of the major issues.

Bill 160 allows the government to make regulations governing class size. We would like to see class sizes

capped rather than set. Boards need the flexibility to adjust class sizes depending on the needs of their students. And we strongly believe that there should be broad consultation with parents and educators regarding the optimum cap.

Bill 160 opens the door to the use of specialists other than teachers. It would seem trite to point out that there is more to teaching than knowledge of subject. Teachers must be able to impart knowledge and skills, they must be able to manage their classrooms and they must understand child development, learning and assessment. While we laud the supplement of specialists in schools, particularly in the area of technology, we do not want to see non-teachers heading up classrooms. The one exception we would support is the use of early childhood educators in junior kindergarten. We will want to see tight controls around the qualifications of so-called specialists and appropriate screening mechanisms to ensure the safety of our children.

Bill 160 empowers the government to reduce teachers' non-instructional time. Parents involved day to day in schools know first hand that most teachers use preparation time for a wide range of important purposes and that preparation time is crucial to high quality education. However, teachers need varying amounts of time to prepare depending on their career stage and workload. We therefore support the Education Improvement Commission's recommendation that principals have the flexibility to allocate preparation time according to need.

Bill 160 also allows the government to adjust the amount of professional development time allotted to teachers. The professional development of teachers is critical in a world of rapid change and ministry-driven reorientation. Failing to provide time and resources for proper in-servicing of teachers is self-defeating.

That said, we would support the scheduling of professional development opportunities at either end of the school year so as not to interrupt student time on task and reduce teaching time. However, the feasibility of extending the school year for students will depend on the government's willingness to address conditions of heat and humidity, particularly in older schools. There is wide agreement among school councils that effective use of existing in-school time is preferable to extending the school year.

The school councils of Carleton believe that all children deserve the best education possible and that all students across the province deserve equal measure. Hence, we would support a provincially set education property tax rate and the distribution of adequate funding to boards based on local need. But in so far as school boards will be powerless to raise money or control working conditions, they cannot reasonably be expected to negotiate teachers' contracts. We therefore urge the government to accept responsibility for province-wide bargaining as a natural extension of the powers embodied in Bill 160.

Last, but certainly not least, the school councils of Carleton have a thing or two to say about the legislation of school councils under Bill 160. While the school council

initiative has been tremendously successful in many, perhaps most, areas of the province, pockets remain where school councils have not been established. Boards remain unmoved by the imperative of policy and program memorandum 122. We have long awaited the legislative authority for our advisory role and we welcome this aspect of the bill. We have long awaited the details of our increased opportunities for involvement in education. We expect to be fully consulted on the roles we are willing and able to undertake and we believe that some level of funding should be committed to supporting our work.

The Ottawa-Carleton region is unique in that all six local boards have a strong tradition of board-wide school council organizations. The Carleton assembly has supported and promoted parental involvement in education for over 20 years. Our board attributes the success of its school councils in large part to the role played by the Carleton assembly. The recent survey results of the Ontario Parent Council show that over two thirds of responding school councils are working in isolation from other councils. In order to fulfil their potential, school councils need to interact with each other to share information and best practices and work on issues of common concern. We share the strong belief with other local organizations that all boards should be required under Bill 160 to encourage and support the establishment of board-wide school council organizations.

The purpose of the Carleton assembly is to seek an education of the highest quality for each child according to his or her needs. The stated goal of this government is to reform education to ensure the highest student achievement in Canada. We would like to believe that this government is as sincere about its goal as we are about our similar goal, but we feel uneasy with so many changes occurring so quickly and without provisions that would assure us of an opportunity for input. We'd like to see the map of the road ahead and we'd like to meet again at the crossroads. It is, after all, our children who will be doing the travelling.

The Chair: We have about 30 seconds per caucus. We'll start off with the third party caucus.

Mr Wildman: It's nice to see you again. I agree completely with your comment that, "The devil is in the details: regulations the government would...make or revise with little or no public input," is of concern, and your suggestion on the division of the bill. But I would ask specifically, because of your statements about funding, in your view would it make sense for the government to publicize the funding formula and the total amount of moneys it intends to invest in education prior to the passage of Bill 160?

Mrs Nixon: That would make perfect sense. We'd like to see that, certainly. Once the provisions are in place to create the new boards, the immediate imperative is over as far as we're concerned and we should have the time to have a proper airing of the issues and the proper figures that will give meaning to the issues. Certainly we'd like to see that funding formula up front.

Mr Smith: Thank you for your presentation. I found it very informative. You made a recommendation that some level of funding should be committed to support your work as a parent council. Have you given any thought as to that amount and how you might go about determining an appropriate funding level for a school council?

Mrs Nixon: I'm sure we could give you advice on that amount, but as to having worked out the details in advance, I have not. We would not be looking for a large amount of money; we would be looking for support with things like photocopying and distribution of materials. We are volunteers and expect to be volunteers and not to be paid for our work at all but just for the basic costs which we incur for our work. We think we're a good bargain.

Mrs McLeod: I'd like to give you the riddle that I've been asking a number of presenters: If the government is not going to provide funding for 25,000 new students per year who are expected in each of the next five years, if they're going to take some \$700 million more out of educational funding and if they are going to make cuts that could mean as many as 10,000 fewer teachers, do you think they can have a regulation that will actually mean smaller class sizes?

Mr Wildman: You have to understand this is the new math.

Mrs Nixon: I see your point. I see the problem. That's why I want these issues decided up front. I want to see the figures in the regulation up front and to have some input into those.

The Chair: Thank you very much, Mrs Nixon, for your presentation here today.

1350

Mr Wildman: Mr Chair, if I could, I would like to ask the parliamentary assistant, in line with Mrs Nixon's presentation where she says, "At this juncture, the government would do well to divide the bill into three or more separate pieces of legislation in order to have in place the provisions needed for the establishment of the district boards on January 1, yet still allow for sufficient public debate of the major issues" — it seems to me that's a very sensible and practical proposal and it might go a long way to helping to end the disruption of classes for students in Ontario and bringing the parties back together for real consultation. What is the government's view with regard to this proposal to divide Bill 160 in this way?

The Chair: You've asked the question and the parliamentary assistant will answer it, possibly after the hearings, but will give you an answer, I take it.

ELAINE RICHARDS

The Chair: Our next presentation is Elaine Richards.

Again, I would remind the members of the committee and the audience that, for the most part this afternoon, I think for all of them, there are only 10 minutes each. Unfortunately or fortunately, the committee also has a plane to catch this evening. We're a little bit behind now. The 10 minutes will be enforced strictly.

Welcome. Please proceed.

Mrs Elaine Richards: I thank you for this opportunity. My name is Elaine Richards and I am here today to speak as a responsible citizen and taxpayer. I have no affiliation with any formal or informal organization making representations on behalf of any group of individuals, nor am I a member of any political party. In preparing my presentation, I have read Bill 160, the proposed Education Quality Improvement Act, Bill 104, the Fewer School Boards Act; the report of the Education Improvement Commission entitled *The Road Ahead*; as well as material from the Ontario Coalition for Education Reform and the Teachers for Excellence in Education. I have listened and noted the concerns expressed by educational unions. The opinions I will express are my own but do represent numerous others persons I am certain.

Many people today resent the disproportionate influence of special-interest groups in our society and feel powerless to alter the rules and conditions under which we live. However, all of us have special interests or agendas that determine how we act in given situations. This is natural and understandable, and not intrinsically malevolent. I believe there are essentially four groups of people who affect the educational future of our youngsters and students. They are parents, teachers, taxpayers and government. Most of us are included in more than one category, but there's a lack of trust between these four groups because of fundamental conflicts of interest, perceived hidden agendas and real or imagined precedents.

Parents are taxpayers who want the best education and future conditions, both economic and social, for their children. But as loving custodians, their emotions are exploited by incomplete information or even deliberate misinformation. Teachers are instructors and mentors, employees and union members, as well as taxpayers, parents and mortgage payers. Any perceived threat to their job security impinges strongly and negatively on their judgement concerning their responsibility to students. This threat is the primary underlying tactic the unions, also known as federations and professional associations, use to coerce the membership into compliance with their position.

Taxpayers want our children given the best education possible and delivered in the most fiscally responsible manner. These aims are not mutually exclusive. School boards are composed of elected persons who are charged by the government of Ontario to administer the Education Act, to respond to the concerns of parents at the local level, to answer to the ratepayers at the local level and to respond to the needs of the students within their jurisdiction. The difficulty lies in executing this responsibility, given the bias of individual board members and their personal circumstances. To date, school boards, together with the unions and teachers, although they have had the direct power to do so, have not acted to reduce class sizes. Instead, they have protected their own interests at the expense of our children and taxpayers.

I would hate to think that these individuals who are looked up to by our young people have such limited imagination and shrunken work ethics that they are unable

to find solutions on their own volition. We need more teachers who inspire through proaction than who criticize through reaction. I believe Bill 160, the proposed Education Quality Improvement Act, together with Bill 104, the Fewer School Boards Act, to be the correct approach. Contrary to what the unions would have you believe, this proposed legislation was not drawn up without considerable research and consultation. It is critically important that our children's performance be elevated to at least the national level at a cost that does not exceed the national average. Education taxes must be levied by Queen's Park and not set by local school boards.

I would like to see the government specify maximum class sizes for both elementary and secondary schools, differentiating between academic classes, ie, language, mathematics, science, history, geography etc, and skill-based classes such as music, art, physical education, shop and computer manipulation. These maximums should be included within the bill, as well as a mechanism for permitting exceptions where common sense dictates.

Teaching positions determined to be redundant should be eliminated through attrition or the early retirement of those eligible for pensions. Young teachers with little accumulated seniority should be protected.

As for the money saved, reinvest it within the classroom when required at the discretion of the ministry. My preference would be to apply any additional cost savings to the debt. Our children are affected by that.

I want the teachers to teach the curricula as directed by the duly elected government of Ontario. I want the federations and unions to be truthful and accurate in their statements to their membership and the press. This work stoppage is not a political protest or a fight for democracy or for the good of the students. It is an illegal strike.

As for those citizens of Ontario who state that the government is going too far, too fast, let me say that it is never too soon to stop destructive practices and that debt reduction, not only deficit elimination, is critically important to our future. I truly appreciate my democratically elected government actually following through with its stated political platform. This is my firm belief in all areas of their endeavour, including the changes to the Ministry of Health, regardless of the temporary discomfort such measures engender.

The Minister of Education, Mr Johnson, Premier Harris and the government of Ontario have my full support and trust.

Mr Chairman and members of the committee, I thank you for your time and consideration.

Interruption.

The Chair: Oh, stop that. You're not children. My goodness gracious, I have never seen anything like it.

We will start out with the government. We only have one minute each.

Mr Smith: There's a statement on your front page: "Taxpayers want our children to get the best education possible and delivered in the most fiscally responsible manner. These aims are not mutually exclusive." How

have you come to that conclusion? Many would disagree with you.

Mrs Richards: I am currently retired. However, I spent my life in business. I know it to be a fact that businesses can make economies. I'm assuming that a bureaucracy also can. I know that certain persons in the federal government are able to make significant economies within their own areas of control and I don't see why this should preclude the Ministry of Education and the government of Ontario, the unions, the school boards from doing the same thing. As a matter of fact, when I was at a candidates' meeting the other week speaking with some school board candidates, they assured me and one indicated in particular economies that have been made.

We're not trying to take good teachers away from needy students. What we're trying to do is make the system work. Take the money that we have — not the money that we don't have, that we have to pay in the future somehow — and make it work effectively.

The Chair: We have to move over to the opposition.

Mr Alex Cullen (Ottawa West): Mrs Richards, you're a Carleton Board of Education taxpayer?

Mrs Richards: I currently live in Merrickville. I moved from Ottawa after the last election.

Mr Cullen: That's the Carleton Board of Education. You must know that the Carleton Board of Education class size average is below the provincial average. If indeed this bill goes through and we see some 4,000 teachers out of 26,000 lose their jobs, if we see some \$677 million come out of education, can you tell me, therefore, how you're going to see the board of education in your community actually find itself with lower class sizes if the provincial average is above? Where is the government going to find the money to reduce class size for the Carleton board, or will you recognize that what will happen to the Carleton board is that class size will go up to at least the provincial average? Where's the money going to come from?

1400

The Chair: I'm sorry, Mr Cullen. You've used your minute and there's no time for an answer. Mr Wildman.

Mrs Richards: Mr Chairman, I would like to respond to Mr Cullen.

The Chair: Unfortunately, ma'am, everybody is to get 10 minutes. That is my sole function up here, to protect people like you so that you are not intimidated, number one, and that you receive your fair share. That's what I tried to do. So it's not possible, unfortunately. I know you'd like to answer it, but there's just no time.

Mr Wildman, one minute.

Mr Wildman: I would just place a question to you based on the fact that you've indicated you're a retired businessperson. As a businessperson, would you advise investment in a new business venture without knowing the potential costs or the possible revenues and the potential return?

Mrs Richards: Of course not.

Mr Wildman: Then would you agree that we should have the funding formula before we pass Bill 160?

Mrs Richards: I trust that the government, within the regulations —

Interruption.

Mrs Richards: It would be a fine situation if we couldn't trust anyone, wouldn't it? We have a duly elected government that has a majority. They have a mandate to act on what the residents of Ontario declared they wanted. Sure, there are differing points of view. We understand that. If you don't like that, you get out there and talk to all these other people and get them to change the direction we're going after the next election, all right? Right now we have a mandate to do something here and get something accomplished. We can't go along willy-nilly the way things have been in the past.

Mr Wildman: I wasn't saying we shouldn't do it. I was just saying we should have the numbers.

The Chair: Thank you, Mrs Richards, for your presentation here today.

KEN SLEMKO

The Chair: The next presenter is Ken Slemko. Welcome, Mr Slemko. We have 10 minutes allotted. Please proceed.

Mr Ken Slemko: Thank you very much for giving me an opportunity to speak to you. I'm here as a parent and I have a couple of key reasons why I'd like to make a presentation to you.

First of all, I really consider Bill 160 to be probably the most important legislation affecting the future of Ontario's schools in our memory. Also, I think the committee needs to hear from parents who understand the current education issues and are interested in finding cost-effective ways to improve the quality of education in our schools.

Let me start with a bit of a story. Last night I picked up the Citizen and saw the full-page blurb from the government here. It ended with a line, "The Ontario government's plan for education reform would put our children back at the head of the class where they belong." It reminded me of a story of a little boy coming home from school with his report card. He gives it to his father. The father looks at it and as he's reading it he gets a stern look on his face and says to his little boy, "Go upstairs right now and start studying and don't come down till I tell you." The little boy says, "Gee, dad, what's wrong?" He says, "Here it says in your report card you're at the bottom of the class." The little boy looks at his dad and says, "Gee, dad, it doesn't matter whether you're at the top or bottom of the class, the teacher teaches to both ends anyway."

I started to think about this line and I hope Mr Harris has put in a lot of money for these long, skinny school-rooms so that we can have everybody in the front row.

You as members looking at revising this bill have three key questions to ask yourselves: First of all, who is responsible for education policy in Ontario? Second, can education improve with the status quo? Third, Does Bill 160 provide a basis for improvement?

Who is responsible? I was surfing the Net the other night and found the Canadian Constitution on one of the sites. Yes, in section 93 of the Canadian Constitution it does clearly indicate that education is a provincial responsibility. Therefore, ladies and gentlemen, you are in charge of education policy in Ontario, you and the other members in the Legislature. It is interesting to note that neither party in the current dispute, neither the provincial cabinet nor the teachers' unions, has any power unless you give it to them. The Legislature can delegate its powers but must always ensure that they are used wisely.

Can education improve with the status quo? A very key question. The current act, as you know, delegates many powers to school boards. I think these arrangements worked well for many years, but in recent years provincially organized teachers' unions have won major concessions from what I would regard as relatively weaker boards. Those contracts have increased costs unduly, in my view, and reduced the ability of the education system to adapt. I would in particular point out the problems with seniority. I think nothing distresses parents more than to see a really excellent teacher losing out when the cuts come and seeing other teachers who haven't cut the mustard for years staying in the system. I think that is a real problem in the system.

We've also seen the contracts worsening factors that I regard as key to quality in our schools. We've seen them increase class sizes, reduce instructional days per year, reduce instructional time per day and permit inadequately trained teachers to teach some subjects. Therefore, my concern is that unions are, de facto, setting education policy even though there are no provisions in the law for this.

Does Bill 160 provide a base for improvement? Yes, it could improve if the cabinet sets very high standards and remains highly committed to meeting them. However, I think there's also a significant potential for decisions that could lead to deterioration. Let me give you an example.

The pressure is to take money out of the system. I've calculated that an increase in the average class size by one student per teacher across all of Ontario, which is the power you'd be giving cabinet, would result in a loss of \$200 million to the education system and over 3,000 younger teachers with the system. Should we trust cabinet with that power? I don't trust any cabinet with that power, having worked and watched departments of finance for many years, just as I don't trust any school board, because they haven't proven themselves very well on this one either. Therefore, I think there's a real problem there.

There's also an inability to deal with local conditions. For instance, the new norms could actually lead to poorer conditions in some boards, ie, those with class sizes above the average set by cabinet. In my view, Bill 160 delegates too many powers for education policy and taxation to the provincial cabinet.

What should be done? First of all, I think we need to set in legislation elements that are essential to the quality of education: the maximum average teacher-student ratio, minimal instructional days per year and instructional time

per day, and funding levels and property tax rates. We should permit the minister to vary standards to deal with specific circumstances of individual boards or schools. I also think we should let school boards determine things like the school year and how to meet teacher-student ratios for themselves locally, as long as the provincial standards are met. I don't think there's a need to set as many things in regulation as are in this bill.

Finally, I think we should really consider phasing in the new funding arrangements over five years to allow boards to adapt to the new funding levels, as recommended by the Education Improvement Commission.

One thing that's dear to my heart, as a former chair of the school council at Hopewell school — I'm also on the executive of the joint council and I'm a member of the Ontario Parent Council — I would really urge you to remove the word "advisory" in front of "school councils" in the provisions that mandate school councils. I really think that all those former principals working as bureaucrats in the education ministry hoodwinked Snobelen on this one.

First of all, what's going to happen in the system as it's planned? There will be greater centralization at the province and district board levels that will have to lead to principals having a larger role in running their schools. Therefore, there's a greater need for a strong parent voice at the local schools through their school councils. I'm asking you not to prejudge that role. Let the EIC, the Education Improvement Commission, finish its research and make its recommendations. There may be a strong argument for school councils to make some decisions in some areas, particularly if principals stay in the federations.

Although there is some potential for abuse by special interests, it's my view that parents' first aim is always to ensure that their children get the best education and they will not tolerate special-interest groups jeopardizing this.

I'd like to give you my conclusion. With amendments, I think Bill 160 could create the foundation for improving Ontario's education system. In the present form, the Legislature — you — are delegating too much of its authority to cabinet. It must retain the right to set standards needed for quality education and to ensure that money is there to meet those standards.

1410

Finally, I believe that taking money out of the education system now would be highly counterproductive, with major reforms under way such as the new elementary and high school curriculum and the longer school year. I have a particular concern because my child is in grade 7. He will be facing new curriculum for the next five years and have to graduate at the end of grade 12.

Let me give you one final message. The government has convinced many parents that the school system is like a sick person with a serious illness. It says education reform is the medicine needed to cure that illness. Only this will equip our children to meet high standards and succeed. However, if we starve the school system by underfunding it, not only will the strong medicine of re-

form fail to cure the patient, but I'm afraid it may lead to long-term health problems as well. My final hope is, please don't starve the patient.

The Chair: Thank you very much, Mr Slemko.

TEACHERS' FEDERATION OF CARLETON

The Chair: Our next presenter is Doug Carter. Welcome, gentlemen.

Mr Doug Carter: I am Doug Carter, president of the Teachers' Federation of Carleton. With me today are the first vice-president of the Teachers' Federation of Carleton, Dave Wildman, and the chief negotiator for the Teachers' Federation of Carleton, Michael Hadskis.

We are here on behalf of the members of the TFC. We represent more than 2,000 elementary teachers and 2,000 occasional teachers employed by the Carleton Board of Education. The Teachers' Federation of Carleton was born in 1969. It's an amalgamation of the members of the Ontario Public School Teachers' Federation, Carleton district, and the Carleton Women Teachers' Association. On behalf of the TFC, we wish to add our voice to those who have expressed their concerns and raised objections to Bill 160.

As has been pointed out many times, this proposed act is long, at 262 pages, and extremely detailed. Given that this is the last day of the hearings and you've been about the province on at least six other days, and with our 10 minutes or our time allocation which must include time for questions, we wish to state that it is not our intent to raise all of our concerns. You've probably heard most of them. We choose to focus on two issues.

As a preamble to introducing those two issues, let me talk for a moment about quality of education. Previous speakers this afternoon and previous spokesmen for the government recently have talked about things like the need for a new curriculum, the need for higher standards and new, clearer report cards. It must be pointed out that these areas have never been subject to collective bargaining and have never been challenged as being anything other than the government's right and responsibility to determine. If there's a problem with those, the issue does not rest with the teachers. Quality education and its components are being discussed in the current public relations campaign; however, those very items that I mentioned to you are unaddressed in Bill 160 and none of our objections are being raised about seeking these goals. Teachers constantly seek to improve the quality of education.

The Teachers' Federation of Carleton wishes to address two items: class size and the regulatory provisions of the bill.

Much has been said about the need to limit class size and our intent is to focus on the erroneous assumption that teachers and school boards negotiate increases to class size and thus must have this section of the scope of the bargaining removed from their hands. In fact, our records reflect a history of significant accomplishment as class sizes in Carleton have been lowered collective agreement after collective agreement over a 20-year-plus span.

Since the introduction of Bill 100, the School Boards and Teachers Collective Negotiations Act, not once before the social contract of 1993 was the Teachers' Federation of Carleton a party to any collective agreement which caused an increase in class size.

I have provided you in the copies of our brief today with a history of the pupil-teacher ratios in Carleton showing you that in 1975-76 the school board decided to increase the pupil-teacher ratio by 2.0. At that time the teachers sought to negotiate a pupil-teacher ratio into the collective agreement. You can see how in 1976 they started with one that was 20.98 to one teacher, and it runs down through to 1993-94, 17.56, a reduction of 3.5 students per teacher. At that time, at the time of the social contract and its mandated staff reduction of 4.75%, with fewer teachers, the pupil-teacher ratio increased.

But when it came time to address the inequity of restoring the salary grid for teachers frozen by the social contract, the Teachers' Federation of Carleton and many other teacher groups across this province responded to the challenge by funding the adjustment among ourselves and keeping any lost positions from having any direct impact on class size.

If negotiated class size increases occurred in some very limited jurisdictions and circumstances, then there should not be a class punishment solution of removing this learning condition from our successful ability to bargain for teachers and for students. To give a class punishment is bad pedagogy, as well as bad law. Any teacher worth her salt knows that. We are not convinced that the solution proposed in Bill 160 to regulate class size is warranted or wise.

Class sizes have increased since 1994, that's true, and this is due entirely to the reduction in provincial funding and other provincial government initiatives, such as virtually prescribing the end of junior kindergarten. In our jurisdiction alone we lost more than 200 teaching positions. None of these is attributable to the Teachers' Federation of Carleton or its negotiations.

The Teachers' Federation of Carleton has a fundamental objection to the extent to which this government deems it necessary to grant the cabinet such extensive regulatory authority. There is no precedent in Ontario legislation where the policy is silent within a bill while it is the stated intent that the real policy will be revealed at a later date or subject to amendment without scrutiny or debate.

To have substantial issues such as the use of uncertified workers, class size, preparation time, working time and school year placed in this domain violates the principles and fundamental rights of teachers to collectively bargain their working conditions. This right is currently recognized provincially and is a recognized fundamental national and international right. The students and parents in Carleton are indebted to the Teachers' Federation of Carleton and its members, who have sacrificed individually and collectively for their benefit since 1969.

That is the brief. Thank you for that. I welcome your comments and questions.

Mrs McLeod: I appreciate your attempting to shed some clarity on the Premier's statement that the reason the government has to set class size is because trustees and teachers have negotiated increases in class size, which, if you go board by board, can be verified to be simply not the case.

The reason they've spun that is that they wanted to justify the government taking over the setting of class size as a cost-control measure, but they somehow want the public to believe it's going to result in smaller class sizes. After all, if they take it over because you've negotiated larger class sizes, as untrue as that is, they want the public to believe they're going to have smaller class sizes. They can do it, they can mandate a class size, but if they're providing \$700 million less, if they're not going to fund the 25,000 new students a year that come into the system, if we're going to have 10,000 fewer teachers, what is that going to mean in terms of the balance of the supports to students in your school?

Mr Carter: If you have more students, fewer teachers and fewer dollars, you cannot convince me you can improve the quality of education. It's going to decrease.

Applause.

The Chair: The applause is taking up your time, Mr Carter, and I apologize for that.

Mr Carter: I have no control over that.

The Chair: I didn't mean that you did. We'll now move to the third party.

Mr Wildman: I'd like to deal with your concerns about the regulatory powers that are set out for the minister in the bill. One of them in particular says that the minister will have the right to set regulations that will not only override all regulations and this legislation itself, but all other pieces of legislation, if the minister deems necessary. This is the so-called Henry VIII clause, which allows government to rule by decree.

Completely besides the specific issues in Bill 160, what is your reaction to this kind of process in a democratic society, giving the cabinet and the minister the right to override all pieces of legislation behind closed doors by regulation?

Mr Carter: In our research it's unprecedented. It appears to be an abuse of power and to me it appears to be incredibly shortsighted because, unless this party thinks it's going to be in power forever, it is going to have to live in fear of what the next government will do if it has the power this party is passing.

Mr Wettlaufer: Mr Carter, thank you for your presentation. You say that you have objections to putting prep time, working time in the school year in a provincial domain. It's quite obvious that in other jurisdictions this is what's taking place. It's quite obvious that the school boards and the teachers' unions have not kept our prep time in this province at the high school level at the national average. Working time is less than what it is at the national average and the school year is lower than what is at the national average. Where else should it be, if the school boards and the teachers' unions haven't come to an agreement?

Mr Carter: If you were talking to me and we were debating the merits of provincial negotiations, which has happened in the other provinces where it is an item for negotiation and an item for discussion between two parties, that would be a far different discussion than we're having today, where one party wants the unilateral right to prescribe it.

I would contend that the number of hours spent in class is not significantly different than it is in the rest of the provinces. I know we can look at data and we can show a number of days. We have 185 and other places have 187. There's nobody that has more than 192, I think, and nobody that has less than about 178. We're at the average in number of days, the length of our instructional day. I think we're really talking about the power to prescribe, as opposed to the power to discuss. Previous to this government, we could discuss things like that.

The Chair: Thank you very much, Mr Carter, for your presentation.

Applause.

The Chair: There will be a 10-minute recess.

The committee recessed from 1423 to 1433.

JOINT COUNCIL OF OTTAWA BOARD OF EDUCATION ELEMENTARY AND SECONDARY SCHOOL ADVISORY COMMITTEES

The Chair: Ladies and gentlemen, the committee will resume. Our next presentation is Mr Stan Currie.

I remind the audience again that it is the democratic right of individuals to appear before this committee without fear of intimidation. If you continue the demonstration I will adjourn again for 10 minutes and I'll continue to adjourn until it stops. That is my function, to protect the rights and privileges of the members around this table and the witnesses who appear in front of this committee, and I take that obligation very seriously. I would appreciate your cooperation.

Mr Currie, we have 10 minutes. Please proceed.

Mr Stan Currie: My name is Stan Currie. I'm chair of the umbrella group for all the school councils on the Ottawa Board of Education.

The joint council has serious concerns about a number of key aspects of Bill 160, and while there are some good elements in this bill, we feel that it is not an acceptable piece of legislation in its current form and should be substantially amended. While we recognize that some parts are necessary for the transition to the new district school boards, other less urgent parts need some reworking and would benefit greatly from a more extensive public consultation.

The government's rationale for Bill 160 seems to be based on blaming school boards and teachers' unions for almost all the problems in the education system. To promote this view, it has too often used misleading statistics. In taking this approach, it has sought to absolve the provincial government and the Ministry of Education and

Training from their share of responsibility for any shortcomings of our education system. The result has been a deteriorating relationship between the major partners in running our school system.

We feel that the government is moving much too quickly with this bill and that the curtailment of public hearings on such an important bill is not in the public interest. Parents can see clearly that this bill is about money and about power. It is not about improving the quality of education.

We would feel more comfortable if the government had a plan for a reformed education system and determined a funding level by assessing its cost. We cannot evaluate the effects of the changes flowing from Bill 160 without the funding model. Earlier this year we asked the Minister of Education and Training to make known the funding model by October 1. We are still awaiting that release and a promised consultation.

We recommend that the funding model be released immediately in order to allow the effects of changes to be assessed.

Bill 160 takes away all taxing power, leaving district school boards with little or no flexibility to meet local needs. This runs counter to advice given to this and previous governments, for example, by the Fair Tax Commission and others. It also removes any local accountability for the remaining education property taxes which would be set by the Minister of Finance.

We recommend that the bill be amended to provide district school boards with some flexibility to meet specific local needs through a limited ability to tax or by other means.

We feel very strongly that Bill 160 puts too much power in the hands of the provincial cabinet and bureaucrats and is basically a blank cheque for this or any future government. This is clearly the most serious flaw in this bill. The ease with which orders in council could be used to make basic changes to the education system, for example, to class sizes, is a scary prospect.

We recommend that the regulatory powers in this bill should be explicitly limited and/or a strong accountability mechanism for regulatory changes should be instituted.

Meaningful public consultation with parents and other stakeholders on education system changes is essential and should be made mandatory. We believe that if the government is serious about greater parent involvement in the education system, then it must engage parents more widely in its education policymaking. Because we are a long distance from Toronto, we fear that sometimes we may not be consulted at all.

Parents welcome the mandating of school councils in the legislation, but the bill fails to define school councils or their role and doesn't seem to add anything to the status quo, at least not in our board. We believe that board-wide councils such as ours should be required in every district school board and that funding should be provided to support their activities.

We recommend that the bill be amended to provide for increased input by parents into changes to the education system at both the board level and at the provincial level.

Parents want real reform and are in favour of smaller classes, better curricula and other measures to improve quality. None of these kinds of positive changes are guaranteed in Bill 160. In fact, the powers provided could just as easily be used to degrade the quality of education in order to save money.

The impression has been given repeatedly that the government intends to cap class sizes, yet the words in article 81 of the bill do not say that. The words provide the power to regulate class size and to determine how class size is calculated. It means that the quality standard involved is at the discretion of the government and could be changed at any time without consulting anyone. That is not an assurance of quality.

We feel that other provisions in the same article about regulating teacher preparation time and designating positions that do not require teacher certification are similarly flawed in conferring powers whose limits are not defined.

We are very concerned that resource levels in Ottawa schools will drop so drastically under a new funding formula that our special education, English as a second language and other special needs programs will be curtailed or eliminated. Programs that we have maintained through the past five years of local downsizing, for example, junior kindergarten and our adult high school are seriously threatened. Also, we feel that decision-makers in Toronto do not always appreciate the importance of French as a second language in our region.

The rumoured formula for allocating school space could result in a significant number of school closures, with extremely negative results on our inner city neighbourhoods.

In short, we believe that the quality of the education system for our students will go down, but we don't know by how much, and we cannot plan for these changes without the details. We also expect that our local property taxes will rise. Again, the government has not provided the numbers yet. We feel that some transitional funding will be needed if the required adjustments are as great as we fear.

We are sorry that Bill 160 has not lived up to its name. We regret that Bill 160 puts centralizing power and saving money ahead of the quality of education. We are very worried about how this bill will affect the quality of the education of our children.

The Chair: We have one minute per caucus. Mr Cullen or Mr Lessard?

Mr Cullen: I'm part of the Liberals. Let's make that clear.

The Chair: I'm sorry. Mr Lessard, you'll start off. One minute.

Mr Lessard: Thank you very much for your presentation. I appreciate the reference you made with respect to the shift in tax rates. That's not something we've been hearing regularly from people making presentations to the committee but it should be of concern to residential tax-

payers because of the change in the way property taxes are going to be treated for educational purposes for apartment buildings. If what happens is that the taxes paid towards education by apartment buildings go down, that difference is going to have to be made up somewhere. I'm assuming that you expect that will be made up by property taxpayers in your area.

Mr Currie: Yes, indeed. That's why it's in the written presentation. I didn't mention it in what I just said, but I think we should treat this as seriously as we do tax changes that affect people when we introduce market value assessment and other kinds of changes.

Mr Wettlaufer: Mr Currie, thank you for your presentation. Do you believe that the pupil-teacher ratio should never change?

Mr Currie: No, I think it should perhaps change over time given different circumstances, but what I think is more relevant is that we should look very carefully at what class sizes should be for certain kinds of students. It's a much more complex situation than a lot of people imagine. If we have a class that has a mix of special needs or difficult children in it, then maybe the class size should be smaller for that class than a class that has —

Mr Wettlaufer: I'd like to follow that up, because you're saying exactly what I think: It could change over time depending on changing circumstances. Do you not think therefore that it is wiser for the minister to have that power rather than having to go back to the Legislative Assembly constantly and have it debated constantly?

Mr Currie: I would say not, because I don't think, frankly, that the minister can see the situation in all the classrooms across Ontario and make intelligent decisions about thousands and thousands of classrooms.

Applause.

The Chair: Ten minutes.

The committee recessed from 1442 to 1451.

The Chair: We'll convene the meeting. I again would request of the audience and advise that under the standing orders applause is not permissible. It affects the witness or the presenter, and therefore I'd ask you to cease and desist.

Mr Currie, you have a couple of minutes left. We were just finishing off with Mr Wettlaufer and then we'll move to the Liberal caucus. I'm sorry, had we finished with you, Mr Wettlaufer?

Mr Wettlaufer: Yes.

The Chair: It was Mr Cullen we were starting on.

Mr Cullen: I know I'm new to the Legislature, but it is the Liberal caucus. I want to remind you of that.

Mr Currie, you mentioned earlier your concern about the future of such programs as special education, English as a second language, special needs programs, junior kindergarten and adult high school being threatened by this bill. Considering that the Ottawa Board of Education has one of the lowest pupil-teacher ratios in the province, it's not really realistic, I believe, to expect that the legislation dealing with class size is going to lower class size to the OBE average. Rather, it will see it go up to the provincial average. Can you tell us what the impact would

be on these programs if class size did increase in Ottawa-Carleton to the provincial average?

Mr Currie: If that situation came about, our system would be devastated. I think we would actually have to kill some of our programs and essentially stop meeting some of those needs. What I've been saying to people recently is that, rather than cutting parts of the system, we may actually have to cut some students out of education. That may be junior kindergarten students or it may be adult students, we're not sure, but I think we're getting to the point, after five years of our own downsizing locally, that we've reached the limit and something really drastic is going to happen now to our system.

Even more modest downsizing, not down to the average, would mean reorganizing a lot of our programs. The amount of chaos and difficulty that's going to cause is just immense. We've been looking carefully at what might potentially be in a funding model, and there's no way we can see that we're going to be able to keep all the things we've been doing. Every one of those programs and services we think are valuable and are meeting real needs of the students in our community. We would like to keep them but we know we're not going to be able to keep them. At the very least, we'd like to be able to plan how we can do the best for our students with whatever we're given in the future.

The Chair: Thank you very much, Mr Currie, for your most interesting presentation here today.

OTTAWA-CARLETON BOARD OF TRADE

The Chair: Our next presenter is Willy Bagnell. Welcome, Mr Bagnell.

Mr Willy Bagnell: Good afternoon, Mr Chairman, and welcome to the national capital.

As we approach the end of the 140th anniversary celebrations of my organization, the Ottawa-Carleton Board of Trade, we see clearly that the quality of education in our public school system in Ontario requires repair.

For over two decades now the business community has constantly been reminding the province, local school boards and post-secondary institutions of higher learning that students coming out of this public school system in this province were not up to par. The recent embarrassment over Ontario students scoring lowest in Canada is but one example of the depth and severity of our problem. In order to upgrade the quality of the graduates of the education system in our province, the system must be improved.

It is our belief that the improvement in the system must be fundamental and focused on quality in measurable ways. In keeping with this philosophy, we support the capping of class sizes. It is broadly accepted that as pupil-to-teacher ratios increase, the quality of that pupil's education will most likely suffer. By removing class sizes from the bargaining table and limiting them, a big step towards this improvement occurs. It is unthinkable that school boards and teachers would bargain for higher class

sizes in order to free up funds to pay teachers or administrators more in wages and/or benefits.

In order to assure that standards are being met, we must first have a clear and concise standard developed. This standard must be designed to assist our children for tomorrow's advanced-technology society and workplace. The idea of a province-wide curriculum to reinforce this goal is wise and necessary. When meshed with regular provincial testing against the standard, we begin to see a new system take shape that will help Ontario's young people move back to the head of the class and improve in many critical areas.

This result will occur in concert with a number of other pragmatic steps the legislation will take. Increasing the amount of time our youth spend in the classroom and coupling that with increasing the amount of time teachers spend teaching classes will be a huge step in achieving the quality improvement our members have been calling for. Lengthening the school year will also assist in bringing Ontario students up to the Canadian average and act, we hope, as the first in a series of steps of setting higher teaching standards for all Ontario teachers. This policy objective will most certainly be obtained by the goals of a College of Teachers for Ontario which will assist in the establishment and enforcement of teaching standards.

The final comment we have is regarding a new standardized report card. This step will allow all parents, teachers and children to have a clearer understanding of their progress regardless of where they live in Ontario. This will assist many parents who are forced to move from one community to another due to a career change to still have a complete understanding of their son's or daughter's academic standing and progress — a clear, measurable benefit that is long overdue. Thank you.

The Chair: We have two minutes per caucus.

Mr Smith: Thank you for your presentation. Over the course of the last six days we've had a lot of input with respect to the issue of differentiated staffing. The previous government, under the royal commission, received recommendations surrounding that issue, as well as the Education Improvement Commission. Some have argued, though, that the use of non-instructional staff in the school setting would suggest that effectively they're unable to teach. In fairness, they've made a differentiation between that. What are your thoughts on the issue of differentiated staffing and that suggestion?

Mr Bagnell: I think on balance, if I had a choice of having my son or daughter be taught marketing by Michael Cowpland or a teacher who had no experience in that area, the answer becomes pretty simple: I'd rather have Mike Copeland, who runs a \$500-million company, who knows how to market products around the world and is successful at it.

There are certain cases and certain elements of teaching, though, that teachers do very well. In teachers' college they learn how to teach the histories and geographies, but I think there are specific disciplines within our society today that require very, very high levels of expertise to be able to teach our young people, to prepare them for the

future. The future is not going to be easy for them as it stands, and this will only help them cope with what society will demand of them.

Mr Cullen: Mr Bagnell, you are the representative —

Mr Bagnell: So formal, Alex.

Mr Cullen: Okay, good to see you again, Willy. Over the years we have seen you at city council, at regional council, coming at every budget time to let us know the business community's views on what the tax burden should be. Here we have a situation, even under provincial downloading, where the business community will continue to carry the full shot of education, but this legislation will remove your ability to talk to your elected representatives as they make the decision. The tax-setting will be placed in the hands of the cabinet by regulation. Is this something your association thinks is going to make for better setting of tax levies to represent the local conditions, what the business community can afford in Ottawa-Carleton?

Mr Bagnell: I always thought we had an opportunity to determine whether we liked the tax rates or not. It was called an election. It was very clear in the last election that we didn't like what was going on so we elected a new government. If in a year from now or two years from now when this government calls the next election, we don't like what they're doing, we'll throw them out and hire somebody else. That's democracy.

Mr Cullen: We know in Ottawa-Carleton they've gone through federal government downsizing. We've had an economic situation that has not been replicated in the rest of Ontario, and your community has been very successful in convincing the local decision-makers to set the tax levy at something that they can afford. Here we have something that's being set by the cabinet, reflecting a province-wide agenda, a very fiscal agenda here. How do you think that can respond to the local community situation? You're not there to tell them that. They're making decisions that will reflect Toronto, Hamilton and Windsor, not Ottawa-Carleton.

1500

Mr Bagnell: I think, Alex, it would be remiss of me to not forget to remind you that Ottawa-Carleton is the highest-taxed jurisdiction municipally and regionally in this country. If we have had a failure as a business community here, it's been not being able to communicate to our local leaders that we are taxed too greatly. Quite frankly, as I look over the last three years of terms of the municipal officers and elected officials in this region and the school board trustees, the amount of taxes raised at the regional and municipal levels versus the school board trustees is no contest. The school boards raised taxes a lot more often.

Mr Grandmaitre: One very short question, Willy. I'm going to take you to the bottom of page 2: "It is unthinkable that school boards and teachers would bargain for higher class sizes in order to free up funds to pay teachers more in wages or benefits." I have some figures here that say the opposite. Where did you take your figures?

Mr Bagnell: I don't think it says any figures. I said it's unthinkable that we would do that.

Mr Grandmaître: No, but you're saying that school boards and teachers have been bargaining. What is your figure of this bargaining for —

Mr Bagnell: We were apprised by chambers of commerce and through our provincial organization that that was a bargaining issue in a couple of jurisdictions.

Mr Grandmaître: But do you have any figures though?

Mr Bagnell: I don't know what it is, but if it was done, it was not right.

Mr Wildman: I have two questions. The first one deals with your comments on page 4 regarding the College of Teachers and the goal of establishing and enforcing high teaching standards, which I think most people would support. I'm a little puzzled, though. Isn't that somewhat contradictory to your statements in favour of differentiated staffing, where you would then bring in non-certified teachers for whom there will be no standards set?

Mr Bagnell: I don't see it as conflicting whatsoever. If we bring an accountant in to teach accounting, he's certified by the Canadian Institute of Chartered Accountants.

Mr Wildman: He knows accounting, but he may not know teaching.

Mr Bagnell: But he knows the topic he's speaking on.

Mr Wildman: Certainly.

Mr Bagnell: Absolutely. There are professionals —

Mr Wildman: We would all want to ensure that people who come before committees know the topic they're speaking on.

Mr Bagnell: Absolutely. Just as we all like to ensure that we elect the right officials at the provincial level.

Mr Wildman: The other question I have is what I directed to one other individual earlier and relates to your exchange regarding the taxation situation and funding. As a businessperson, would you invest in a new business venture without knowing the possible costs, the estimates of costs involved, the possible revenues and the potential returns?

Mr Bagnell: No.

Mr Wildman: Then why would you be in favour of legislation that would give to the government the regulatory power with regard to taxation and funding for education and investment in our students without knowing what the numbers are before we pass the legislation?

Mr Bagnell: First of all, the Ministry of Education and Training in Ontario, as you well know, is not a private sector institution and doesn't run by the same rules as the private sector does, which is accountable as General Motors, as Ford, as IBM are to their shareholders.

Mr Wildman: I would say that the investment in our youth is the most important investment we make in our society.

Mr Bagnell: Yes, but you said the last time you were in town that the investment in health care was the most important thing that we've made in our society —

Mr Wildman: The investment in people is the most important —

Mr Bagnell: When you were in town, you said that the investment in medicare was the most important thing. So

what's it going to be, sir? Is it going to be one of those things or all of them? Please make up your mind.

Mr Wildman: The investment in people, in services that make this society one of the best in the world to live in and do business in.

The Chair: Thank you, gentlemen. We have reached the end of the 10 minutes. Mr Bagnell, I thank you very much for your presentation here today.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

The Chair: Our next presentation will be Mr Larry Capstick.

Interjections.

The Chair: Could we give the presenter our attention. Welcome.

Mr Larry Capstick: I sometimes feel like I'm in front of a 3G class on Friday afternoon.

The Chair: I feel like that all the time.

Mr Capstick: First of all, I'd like to thank the committee for the opportunity to express my views on behalf of my membership with regard to this legislation. I represent more than 2,300 educators and educational workers in the Carleton Board of Education.

At the outset, I would like to express a bit of concern that I have because in preparations for my presentation here, I wasn't sure which goal I was to be addressing. Is it the issue of quality of education or is it a financial issue? I didn't know whether I needed two or not. I've tried to adjust to cover both within my presentation. The goals and objectives of the bill seem to change from day to day.

The teacher federations across the province have already addressed you and I am not going to repeat their presentations. However, I would like to highlight that my members have asked me to express to you their very, very serious concern about fundamental principles of democracy and how these principles are reflected in a centrally driven decision-making process, one which rests in the hands of one individual. We have fears about the ability of one person, regardless of what that person is, to levy taxes without first adhering to principles, such as "no taxation without representation." We firmly believe that local needs will not be addressed by the Minister of Education in Toronto and that this is a flaw in the legislation. With regard to suggestions that we perhaps should wait a year or two until the next election, while that may work with some issues as far as educators are concerned, two, three or four years of experimentation with our children is not acceptable.

The federations have tried to address issues related to quality of instruction and the performance of our students. This has given rise to a number of questions for my members. These questions concern analysis of that data that has been used.

There's been a lot of controversy about the issue of the school year, the school day, preparation time. The first of these I indicate in my presentation here I think is a logistical question. I'd like to know how long the government

suggests the school day should be. What do they want to happen within that time frame of the school day?

The schools in our province and certainly in the Carleton region are operating from morning till night. In the Carleton board we're already reduced to triple busing. We have students standing at the roadways in the pitch dark at a quarter to 7 in the morning in the elementary schools and in our secondary schools. More than half my secondary schools are well under way at 8 o'clock in the morning. So we have a very long school day, including our night school and adult school activities.

The issue of preparation time — and I appreciate Mr Wettlaufer's questions earlier on that particular issue because I know it appears in advertisements that have been put out by the government. The problem my members have is, we don't know where this research came from, how it was collected, what is involved in the calculations. I have tried my best to understand that. If you're calculating prep time, did the province include in that the work that goes on at the beginning of the morning when you're doing attendance and checking notes in the 15 to 20 minutes that goes into that sort of activity? Are opening exercises considered part of the national average, the provincial average? Where was it calculated? We're dealing with so many statistics here without any basis in knowledge.

I understand from the *Toronto Star*, Monday or Tuesday of this week, that now principals and vice-principal are included in prep time. I can't find anyone who can clarify where that came from or how that could possibly be done.

I should let the committee know that there are some fundamental facts I can give you. In my board of education, as a result of provincial funding cuts, preparation time has already been removed, gentlemen, from several employee groups within our schools as a cost-cutting measure. We have already made changes to departmental administrations. They've been reconfigured in some cases so that department heads no longer exist in some areas and, at the very least, have been negatively restructured as far as time and compensation are concerned. These were cost-saving measures, but if the government is intending that they are going to accomplish cost saving as a result, it's not going to happen here. It's already been done to some extent.

My grave concern is that further cuts could occur. When we have secondary school reform still sitting out there in left field, still waiting after I don't know how many months, we have no administrators at the subject level, we have no preparation periods left within classroom settings, how is the curriculum going to be developed, how are evaluation programs going to be put in place? I would ask that you reconsider from that perspective this particular issue.

1510

If the government really wants teachers to spend more time in front of students, take a semestered school, extend the four periods of the semestered day by 15 to 20 minutes. You've got another hour and you're above the na-

tional average, and I'll let you use your statistics. I won't cost you a penny and it won't reduce the teaching staff one iota. Period length is not teachers' jurisdiction. It's within yours; it's always been there. Use it, if that's what you wish.

I should also point out to the committee that as a result of cost-cutting by this and previous governments, many of my secondary schools are already running at capacity. There are no extra rooms. I went to my MPP, Mr Baird, and I sat with him two or three weeks ago and addressed this issue. If, as at one point I heard the government suggest, "We will cut prep time; this will put more teachers in front of the classroom" — he's a graduate, several years ago, from one of my schools. I said, "At your school how many empty rooms are there at any given period?" "Virtually none."

I said: "How many portables are you bringing in? How many new labs are you putting in? How many chemistry labs? How much money is going to be put into new resources if these students are all supposed to be in some sort of classroom setting?" I'm still awaiting an answer to that particular question.

The Premier has talked at length about test scores. Here in Carleton, Dr David Ireland, who was the former director of research with the Carleton board, wrote a scathing analysis on the issue of test scores and these international tests. The *Citizen* this morning carried a letter from Dr Ireland which one more time presents a scathing analysis of just how poor a job these test scores or the analysis of these test scores has been carried out and misused and abused by various individuals and groups.

We would request the government make some changes, and these changes again are cost-effective. They will increase performance and they will not cost you very much at all. Regulatory change that would permit teachers and schools to fail students for chronic absenteeism is one. It's one of the most serious problems we face. If the students are in class, they will learn and their test results should improve.

We know for a fact senior students miss large numbers of class periods for a variety of reasons. My own study and analysis of this has revealed I've had senior classes on average miss 15 periods within a semester. When I asked them how many periods of work they lost or missed — one, within the same time period. Why are they missing school? It's all too often because of employment. My suggestion would be that the government look at enacting legislation which would limit the number of hours a student in a school could be involved in employment outside the school day within any given week. Set the number of hours. We'll get better results. It won't cost you a dime.

I would also ask that you put some restrictions on those employers. We have service industries, we have commercial retail communities — I use the word "exploit" here because I know of many instances where students have been told: "If you don't show up for work because you want to go work on the school play, go find another job." "You've got extra work to do or you've got to prepare for an exam? Sorry. If you can't show up here, there are lots

of others who will do it." Minimum wage, less than minimum wage, no benefits, students running from one job to another at some mall. There's no mystery here. I think you can go to any urban centre in the province and you'll find the same sort of thing.

Another point of no expense to the taxpayer: the role of parents. All research indicates that parental involvement in our schools will result in increased productivity on the part of students. We welcome the parents as partners. In Carleton, I have worked very hard to bring school councils into a meaningful partnership with educators and educational workers. It's these parents who have given rise to a very knowledgeable group that can attest to the truth about what is really happening in our schools.

I would suggest to you that each teacher would have to be responsible for a set group of students who are going to be responsible for these learning plans that are talked about in the curriculum reform. It's going to increase their workload, it's going to increase the responsibility. They need the parents there. Perhaps the government would consider legislation, as it did with school councils, that would compel parents to take on more responsibility for the education of their children, even if that means they must meet with their teachers once or twice a year. It doesn't cost a thing, but that contact, that relationship has to bear fruit somewhere.

There are a considerable number of other areas in this bill which, as I've said before, could be addressed here. However, 10 minutes is a limited period of time and I do appreciate the opportunity I have. I would only hope that under Bill 160 we would continue to have these opportunities. Thank you.

The Chair: Thank you very much, Mr Capstick. We have just over 30 seconds per caucus. Mr Cullen.

Mr Cullen: Very briefly, Mr Capstick, in the political protest your members are walking outside this building, in front of schools, the government would have us believe it's because teachers want to control education in Ontario. Is this true?

Mr Capstick: What my members have told me over and over again and what I personally am committed to is the quality of education of the students I serve. I will go to the wall for my students any time.

Mr Lessard: I was wondering whether you're optimistic that the government is going to realize cost savings in improved efficiencies in administration and reorganization and restructuring. In the event that you're not optimistic, where do you think those dollars are going to come from?

Mr Capstick: At this point, I have spent so much time trying to deal with the issues in the classroom, with the students, with resources and what not, I have not given a lot of consideration and I'd be loathe to make a comment about principals, vice-principals, administrators, boards, that type of thing, if that's the intent of your question.

I believe very strongly that there is an educational community. It is not just the teacher. It's the custodian that student turns to when they need help and assistance. It's the speech pathologist. There are any number of different parts to that community. In terms of the cost savings, I can

only reiterate what I said at the very beginning. We have done a considerable job in the Carleton Board of Education and I would not want to suggest that there are many other areas that would not result in serious consequences.

Mr Wettlaufer: Mr Capstick, thank you for your thoughtful presentation. I, like you, believe that the teachers are very dedicated. I want to add though, you asked how the government defines preparation time. The government doesn't define preparation time. The definition is according to the bargaining agreements, with which you're familiar I'm sure. It says here, "Exclusive of morning and afternoon recesses and lunch period, the board shall assign each full-time classroom teacher prep time as follows," and it defines the amount of time: "This time shall be free from teaching, supervisory or other duties." And there are other things, as I am sure you're familiar with. We don't define prep time.

Mr Capstick: That wasn't a question, but I'll respond. Items such as those that appear in the news media which identified principals and vice-principals as somehow being included in that and attributed to the Premier, if that is not true or not accurate, I would expect to see the Premier come forward and state that case so that the misunderstanding or the clarification is clear. But it's some of these mixed messages which continue to give rise to the problems we're currently facing.

The Chair: Mr Capstick, I'd really like to thank you for your very constructive approach to this subject.

1520

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION FRONTENAC, DISTRICT 20

The Chair: Joan Jardin, welcome. I would ask you, if you are to take part in the presentation, to identify yourselves for the purpose of the record and then proceed.

Ms Joan Jardin: My name is Joan Jardin. This is Mark Bischof and Rich Phillips, all of District 20, OSSTF, in Frontenac county.

Thank you very much for the opportunity to speak. This is a very important issue. As OSSTF members, as teachers and educators, we have many difficulties with Bill 160. This presentation is going to focus primarily on two of the major difficulties we have with this bill. The first one is a concentration of power with the minister and cabinet, and Rich will speak about that later, and next is the loss of local decision-making ability from democratically elected trustees, concerned parents and professionally trained teachers. We view this as detrimental to students, parents, the community, the board and the teachers.

In Frontenac county we, the local board and teachers, provide an excellent education for students. We have managed to work collaboratively through all the recent changes in education in order to best benefit the students in the county.

Like most places in Ontario, Frontenac county has many unique characteristics. There are eight penal institutions within the greater Kingston area, in addition of course to halfway houses etc. We have two universities

and a college. Because of these unique characteristics, we have a very large adult education program. We've done this because we believe in all students and want all students to love learning. We also have a dedication and a mission statement for lifelong learning. Unfortunately, the government reduced the funding for students over 21 and there was a great strain on the system. We worked together with the board locally to work things out.

Also, we have an excellent LPS system, which is learning program support, that deals with students with exceptionalities. Every year there are more and more students with exceptionalities. We try to accommodate them and we have excellent staff who work with them.

Particularly, we are proud of our county and special programs. They are relatively unique in the province. What they are is a package of courses that are devoted to academic or job-related skills. There is a group of courses every day that a teacher is responsible for and these are developed with the community and based on local community needs and expertise. Some examples are the masonry program, building construction, Enviroworks and technical illustration, but we also have about 40 others in our county. Two of those, building construction and Enviroworks, have won prestigious awards just in the last year. The media releases are contained in your packages.

We are worried about all the programs, due to the changes in Bill 160; worried about all programs in schools and the future of them. However, these programs will most definitely be the hardest hit. Why? Because of their unique characteristics. They exist due to local control and cooperation, cooperation with the school board, the teachers, the parents and of course business and industry.

The proposed changes in the control worry us. We will not have that control. If we take, for example, class sizes, all our programs are different. Having an academic class is a lot different from masonry. In the masonry program, they're out in the public using very large, potentially dangerous machinery, and of course there's always the worry about the decorum of the students. There are reasons why those class sizes must be smaller. We value that and we've worked that out locally. That would be even in juxtaposition to perhaps other academic classes or even other academic special programs. We are the experts, we are the ones with the experience and we are the ones who know what is best for our students in our community. We need the local flexibility.

Also, what's important is prep time. The programs are arranged with the schedule as it is. If we have to change the schedule dramatically because of a change in prep time, I really fear that we will have to lose those programs. They are packaged very specially to donate a block of time, a semester of time for these students. All teachers' prep time is important, starting during the school day and going to 9 and 10 at night. Unfortunately, a lot of businesses do not open at those same times. When we have county programs that are working with communities, with clients, with businesses, they are not open when we are doing our prep time. Therefore, it is of most importance that they have prep time during the school day and are

able to make the liaisons, the contracts with local businesses.

We need the local control to provide stability. If all power is concentrated with the minister and the cabinet, then contracts will have to be tentative on whatever the government feels like at the time. If we have local control, we have demonstrated with all the changes in education, that we value our students that we value excellence and we work towards that. I understand that business does not like instability, and that would cause a lot of difficulty with our special programs.

It makes me sad to think of the inevitable detrimental effect of the proposed bill on education and I've tried to represent some of the excellence in our system that could be even more detrimentally affected than others.

Mr Rich Phillips: It's Rich Phillips. Just before we start, I want to let you know we came down here from Kingston this afternoon. We were all on the line this morning at 7:20 and we're proud of that. There was 100% attendance, and I really believe that everyone on the line understands the issues. I don't think we're being misled by our federations. I think the people on the line have read the bill, they know the offensive portions of the bill and they understand why they're out of the classroom. It's not on the basis of misinformation that the federations are giving us; it's on the basis of the actual wording of the bill.

I'm going to highlight one specific issue. It has to do with the term "power." That issue has been misrepresented, in our opinion, by the government but also in many cases by reporters. It's been indicated that it's a fight between federations and the government.

As far as we're concerned, we have two alternatives. Alternative one is to share the responsibility for education with the government, quite rightly, because they are a stakeholder, and secondly, with parents, with school boards and with teachers, all for the benefit of students.

What are the choices we have at this point in time with the bill? It appears that because of the items that are all covered by regulation, all the power for curriculum, taxation, length of the school day, length of the school year and, yes, prep time too, is vested with the Ministry of Education. I recognize the fact that, as the minister, he can share the responsibility with the cabinet. As far as I know, the background of the cabinet and the minister in terms of education, I'm not sure about this but I believe it's one and a half years, all with the Premier. That is a grave concern to all our teachers in Frontenac county.

The Chair: Thank you for your presentation. The time has elapsed.

1530

ONTARIO FEDERATION OF INDEPENDENT SCHOOLS

The Chair: Elaine Hopkins. Good afternoon, Ms Hopkins. We've set aside 10 minutes for your presentation. Please proceed.

Ms Elaine Hopkins: Thank you very much. I speak to you as president of the Ontario Federation of Independent Schools, the principal of two Christian Montessori schools in Ottawa — Bishop Hamilton in Ottawa and Orleans — a former teacher in the public elementary and secondary schools and a parent of three boys who attended both public and independent schools.

Nearly 650 independent schools in the province serving over 80,000 children offer excellent academic programs with a variety of educational and religious philosophies. Most of them operate at a lower per pupil cost and a lower teacher-student ratio than the public schools. Most of the schools are community-based, non-profit organizations with elected boards and a high level of parental involvement.

Parental choice is at the centre of the independent school system. In any system of education the government has a responsibility to ensure that there is a variety of educational choices for families to serve the varying educational needs and goals of these families. The government also has to ensure that a basic academic education is being achieved by all children for the good of society.

What is a good education? There are many answers to this question and it can only be answered by the parents who know best the needs of their children and the values they wish their children to learn. A monolithic education system totally controlled by a central organization cannot, will not and should not be the best approach to education. The best education system needs to form partnerships with parents, professional staff and governments, with clearly defined responsibilities for each.

Current directions in education: The present education system in Ontario is a large bureaucracy which spends an enormous amount of money yet does not appear to be getting the results it should. This is clear from test results, increasing anxieties of parents about their child's progress and even the significant growth of independent schools over the last 20 years, from 25 in 1975 to the present 650, where government policies still require parents to pay heavy tuition on top of their education taxes. Yes, many children in the public schools are being well educated and there are many excellent teachers. The resources are phenomenal, but it is not working for many children.

I applaud the government for their courage, wisdom and vision in taking back the reins of education. Something had to be done. Locally, we have had five boards for many years. Amalgamation has been studied ad infinitum but nothing was happening. In Saturday's *Citizen* the concerns of the Ottawa board that they would lose their excess space while the French-language board is desperate for space only highlights the territorial nature of our current system. The editorial in the *Ottawa Citizen* asks the question, "Whose schools are they?" I've attached a copy at the back. I won't read it to you.

In my meetings with Mr. Snobelen and his staff it was clear that the present government wants to regain control of the education system, make it more cost-effective and get better results so that all our children will be better educated. I believe they have a longer-term agenda to

acknowledge and give more local control to schools and their communities, but in a different manner than in the past. They also want to see resources more equitably distributed. They are the elected representatives of us, the people. We elect them to make these decisions on our behalf. We must be sure that parents have a strong voice in education and that money saved directly benefits the classroom.

Cost of education: Over the last many years, more and more money has been poured into public education. We have not had good returns for our investments. Class sizes have increased. Bureaucracies have increased. Special programs have increased. Has the overall education improved? No. Research has shown that increased money does not necessarily mean better education. Anyone who has been close to public education knows of the excessive spending that has been going on. Why is it that independent schools can offer an excellent education at a lower per pupil cost? We cannot raise taxes. We have to stay affordable and must educate a child well or the parents take their child and their tuition and go elsewhere. We are under pressure to perform, and we do. We do not have several levels of consultants, social workers, superintendents, psychologists and other bureaucrats making salaries in the six digits.

Class size: The teachers' unions say that Bill 160 will result in increased class sizes. For the many years that class size has been negotiated in teacher contracts, have we seen any decrease in class size? No. We hold a myth that a smaller class will mean a better education for our children. This is not necessarily so. Perhaps a child will get more attention, but the dynamics of a classroom can make all the difference in the world, and a class of 15 children can have a set of problems while another class of 25 can be wonderful. I would like to see more discretion on class size left to the local school. Perhaps some broad guidelines set by the province would ensure fair treatment.

Teacher qualifications: I generally believe that teachers are born, not made. At Bishop Hamilton School, I have an excellent art teacher who is not certified but has a degree in fine arts. It is common in some independent secondary schools to find teachers who have masters or PhDs in their subject area but are not certified teachers. Montessori and Waldorf teachers are well trained and performed their jobs well, but according to the Ministry of Education they are not certified and thus not recognized. The pilot project here in Ottawa using early childhood education teachers for kindergarten programs has so far proven to be successful. What about the many teacher aides we use? I strongly support teacher certification — every profession has to have its standards and training — but I commend the government of Ontario for wanting flexibility in this area so the best qualified people are teaching our children.

The expanded school year: Yes, it's time we moved out of the agricultural era. We all know the tremendous amount that children forget over the long summer holiday and thus the time spent in the fall reviewing material. We all know the freshness and receptiveness for learning of a child and a teacher when they return from a holiday. I

support the shortening of the summer holidays and would go further, though, and build in more frequent breaks during the school year.

Over the last many years it appears that children are spending more and more time out of the classroom for field trips of an endless variety and many professional development days. The community is the modern classroom, but as in many other areas in the present education system, classroom time and thus academics have suffered as a result. Where is the balance?

You can expand the school year, you can expand the school day, you can be flexible with the qualifications of teachers in the classroom, but none of these changes will make much difference unless we demand more from our children and our teachers. The government is moving in the right direction with the improved curriculum released in June of this year but it has not gone far enough. The basic language and math skills still appear to be very weak. I strongly urge you to continue to review this area to improve standards overall.

Finally, the question of hope: Our schools, our children and society have a value crisis. Our children lack direction, focus and a framework for life and hope. Recently families gathered in the West Carleton area to consider what they would do after a series of teenage suicides in their schools. As a Christian in a Christian school, we offer this hope and a sense of direction to our children. Addressing this issue in a multicultural, pluralist community is no easy task, but for the sake of our children and our society it cannot be evaded forever. Thank you very much.

The Chair: You've used most of the time, but there's about 40 seconds left. Is there any conclusion you wish to give us to wrap it up?

Ms Hopkins: No.

The Chair: Okay. Thank you very much for your presentation here this afternoon.

STORMONT, DUNDAS AND GLENGARRY ONTARIO TEACHERS' FEDERATION AFFILIATES

The Chair: Our next presentation is Greg McGillis. Welcome, Mr McGillis. If the person or persons with you are to take part in the presentation, please identify them for Hansard.

Mr Greg McGillis: Good afternoon. My name is Greg McGillis, and I'd like to introduce my colleagues. First of all, I'm a teacher in a small K-to-12 school near Cornwall. This is John McEwen. He's a teacher at St Lawrence High School in Cornwall, teaching science. This is Betty Eadie. She is also a teacher in an elementary school. This is Ariane Carriere, who is a teacher at an elementary — I think it was kindergarten or something like that. As well, we're all parents and we all have an interest in this system.

We represent the 1,600 teachers who work in the publicly funded schools within the counties of Stormont,

Dundas and Glengarry and the city of Cornwall. We appreciate the opportunity to appear before you today and will use the time slots allocated to two of our member organizations for our presentation.

In the short time that we have, it is impossible to detail all the problems that we found in Bill 160. Instead, we have chosen to focus on a few items that are of utmost concern to all teachers and a few items that we feel are very important to us as a mainly rural area, with many schools in small country villages.

Traditionally the parents in SD&G have been very involved in the education system. Our tradition of publicly funded, locally controlled schools goes back almost two centuries. When the public school board put a few schools on the closure list last year, successful lobbying by parents allowed those schools to remain open. If there is a problem in a school of class sizes being too high, usually it is solved with a few phone calls. Local trustees have been very approachable and are known in the community. Local ratepayers know who they can call if there's a problem.

1540

Bill 160 will take that away from them because central control will be with the ministry. Teachers are worried that there will be no system of checks and balances between the ministry, the board and the teachers. The Premier and others have made certain claims about the relationship between teachers, their employers the school boards and the outcomes of their negotiations. We reject these claims as false. The fact of the matter is that both sets of parties have had to reach agreements with the current economic context, and that governments past and present have done things that have made such agreements difficult to reach and awkward to live under. The recent significant PTR increases are a case in point.

A bit about ourselves: We teach in an area of the province which is somewhat distant from Toronto geographically, culturally and demographically. Our schools are smaller than the Ontario norm and are somewhat distant from each other. Many of our schools serve identifiable communities. We wonder how a bureaucrat in an office building in Toronto will be able to make sensible decisions about the operation of our schools. We wonder if the new, unrevealed funding model will cause some of our schools to close. If so, will there be extra funds for the extra busing? Will decisions like school closure be made in Toronto? We wonder about our unique French immersion programs which fulfil the desire of many parents and students to have a fully bilingual education.

We look with envy at our neighbours who live and work in the Salmon River school district in upstate New York, just across the St Lawrence River from Cornwall. This school district consists of a single elementary, junior high and senior high complex. The education stakeholders, including the teachers, have a say in the important decisions affecting the school, such as the appointment of a new principal. The school district is free to make decisions on matters like the school year calendar without New York state oversight. The school district also has complete autonomy to set its own budget. Why is this local democ-

racy denied to our communities? I'll now pass you on to Mr McEwen.

Mr John McEwen: During his speech of October 22, 1997, Premier Harris made the following statement: "Between 1985 and 1995, student enrolment increased by 16%. Inflation during that same time rose by 40%. Yet education property taxes rose by 120."

What could we learn from this information? We have more students in the province, the cost of education is going up due to inflation and our education property taxes are out of control because the school board trustees have been fiscally irresponsible. There were, however, some things the Premier did not tell us: 1985 was the year before the major expansion of the publicly funded school system in Ontario; 1995 was the year before a major contraction of the publicly funded school system in Ontario.

What other things were not mentioned? In 1985, the government rate of grant was 46.62% of expenditure while in 1995 the government rate of grant was 37.43% of expenditure. The province raised the standardized mill rate 42.8% between 1985 and 1990 and has increased this by an average of 5% each year since. This has meant a significant shift from funding by grant to funding by provincially determined property taxes.

In addition, the following programs have been mandated by the provincial government during this same time period. Worthy as these may have been, they did add to the cost of education. They include the Bill 82 special education, international languages, pay equity and employment equity, the Common Curriculum, class size caps in grades 1 and 2, the implementation of drug and AIDS education programs, occupational health and safety programs, province-wide testing, a new secondary curriculum, broad-based technology. Provincial fire codes have also changed, increasing capital and maintenance costs, and then we've had the asbestos removal problems.

In short, in the period cited by the Premier, local taxes increased for two reasons: First, the funding shift from provincial grant to provincially determined local taxes, and second, the introduction of new programmes without compensating grants. A more recent study from the Ministry of Education and Training reveals that from 1990 to 1997, student enrolment has increased by 9%, inflation increased by almost 16%, and the property taxes have generated a whopping 31% more revenue.

On careful review of the data, we see that the increase in property tax support for education has two components: One part of the local education property tax is related to what our local trustees control in setting the education property tax. This amount has decreased by almost 22% since 1990. The second part of the local education property tax is set by the provincial government. This component has increased by 62% since 1990.

It is the provincial government that is increasing our local education property tax, not our local school trustees. The shift from provincial grant to provincially determined property tax for the period 1990 to 1997 is demonstrated in the graph on the next page, and you can see it there. As

noted below, as the government used more of the property tax, school boards took less. The graph below shows the reduction in the locally determined taxes in the same 1990 to 1995 period. Contrary to the impression that the Premier tried to convey that night, it is his government and the one before it which bears responsibility for the recent property tax increases. The school boards have attempted to keep taxes down. The classroom has suffered as a result.

The data table printed on that page, which is from MET data, shows a steady increase in the average pupil-teacher ratio from Ontario since 1992. In 1992 it was 15.2; in 1996 it was 16.6; and if we take the 10,000 teachers out, it will be 18.1. Contrary to what has been claimed, spreading an increasing number of students over fewer teachers does not increase the contact time for teachers and students. Quite the contrary, if I have 210 students instead of 180, they will get a smaller piece of me.

Bill 160, a gigantic blank cheque: As noted by many observers, Bill 160 gives the government absolute control of our schools. So complete would be the domination, that the teachers would lose the very ability to have some influence over their working lives. Course load, class size, professional status, seniority and other workload issues are to be decided by what I call the education czar in Toronto. This is why we are on the street today and this is why we will stay until those matters are resolved.

Bill 160 is, however, much more than the simple matter of a government abuse of public sector employees. It also places the fate of our education system entirely in the hands of a government whose leaders, as I have just noted, are not above telling giant fibs and not above concealing their true agenda — and we don't know what the funding formula will be. There are many unanswered questions.

The Vice-Chair: Thank you, sir. That's the extent of your time. I appreciate that.

Applause.

The Vice-Chair: Please. Come to order. We realize what the clapping did before, and we don't want to bring on another delay, please.

1550

FÉDÉRATION DES ASSOCIATIONS DE PARENTS FRANCOPHONES DE L'ONTARIO

The Vice-Chair: The next presenter is FAPFO, if you would state your name for Hansard and proceed.

M^{me} Francesca Piredda : My name is Francesca Piredda. I am accompanied here by Marie Biron, and I represent la Fédération des associations de parents francophones de l'Ontario, the one provincial group of francophone parents in the province.

My presentation will be in French. I hope you are equipped. I will be able to answer your questions in English as well later.

La Fédération des associations de parents francophones de l'Ontario réclame depuis longtemps des écoles de

langue française des résultats comparables à ceux des élèves de langue anglaise, des écoles qui offrent la gamme des programmes et des services éducatifs, des services spécialisés en français, ainsi qu'une participation efficace des parents au sein de l'école.

Nos commentaires sur le projet de loi 160 porteront principalement sur l'accès à l'école, le rôle des parents et la taille des classes.

Accès à l'école de langue française : en ce moment, nombre de jeunes francophones de l'Ontario n'ont pas accès à des écoles de langue française ; par exemple, à Meaford, à Kenora et à Port Elgin. L'accès à l'école de langue française dépend souvent du bon vouloir du conseil majoritaire. C'est-à-dire que le conseil majoritaire doit donner une autorisation pour la construction de l'école. Souvent, les francophones n'ont pas le choix entre une école publique ou catholique — par exemple à Windsor, au sud de la région d'Ottawa, à Renfrew, à Merrickville, à Brockville — alors que cela est possible pour le groupe majoritaire.

Permettez-nous de vous rappeler l'article 23 de la Charte canadienne des droits et libertés, où on reconnaît que l'établissement de l'enseignement en milieu minoritaire est l'outil institutionnel par excellence pour «remédier à l'érosion progressive des minorités». Conscients de l'importance de l'école pour l'épanouissement de la communauté franco-ontarienne, les parents francophones ont revendiqué un modèle de gestion qui satisferait aux besoins des élèves en leur offrant des services et des programmes de qualité.

Le projet de loi 160 dans son application doit assurer l'accès à l'école de langue française pour tous les francophone et doit assurer aussi l'égalité des résultats.

En mettant en place des conseils scolaires de district de langue française pour les écoles catholiques et pour les écoles publiques, et des administrations scolaires, le gouvernement de l'Ontario pourra remédier sans délai aux inégalités du système actuel, avec des modèles de prestation de services qui répondront aux besoins éducatifs des jeunes francophones de l'Ontario.

Pour nous, parents francophones, le projet de loi mènera au succès s'il garantit dans les faits : l'accès à l'enseignement dans la langue officielle de la minorité ; des établissements d'enseignement qui appartiennent à la minorité ; le contrôle et la gestion de ces établissements ; le droit à l'enseignement dans la culture de la minorité ; le droit à des installations physiques situées dans la communauté minoritaire ; l'équivalence à la majorité en matière de qualité d'éducation, soit en termes de résultats ; la réparation des torts du passé par des moyens créatifs et appropriés ; et un régime de financement assurant l'équivalence et la réparation.

Au chapitre des conseils d'école, pour la communauté de langue française, l'engagement des parents est d'autant plus essentiel qu'il doit revendiquer une éducation de qualité pour des enfants qui vivent en situation minoritaire, appuyer l'éducation que les enfants reçoivent à l'école et assurer l'intégration de ces élèves dans la société canadienne.

L'inclusion du conseil d'école dans le projet de loi est donc bien accueillie par la fédération. Cependant, nous recommandons de ne pas limiter le rôle du conseil d'école à un rôle consultatif. A cet égard, la fédération appuie les arguments du Conseil ontarien des parents. Je les résume :

(1) La Commission d'amélioration de l'éducation doit pouvoir donner suite à son mandat en ce qui concerne les conseils d'école.

(2) Dans la pratique, souvent un rôle consultatif constitue un rôle insignifiant.

(3) Il y a déjà dans certaines écoles des modèles de gestion participative où les parents participent effectivement à une gestion de l'école — par exemple, au choix et à l'évaluation du directeur ou de la directrice, à l'adoption des objectifs et des priorités de l'école, à l'adoption des priorités budgétaires de l'école. Ce sont des fonctions qui vont au-delà d'un rôle consultatif.

Nous croyons donc que le projet de loi doit être modifié pour assurer aux parents une participation efficace et non pour la forme. Nous recommandons que le mot «consultatif» soit enlevé du projet de loi en ce qui a trait aux conseils d'école. C'est-à-dire que «consultatif» dans ce cas restreint la possibilité pour les parents d'avoir un conseil qui est plus que consultatif.

En tant qu'experts et parents au quotidien, les membres de la FAPFO sont favorables aux mesures officielles d'appui aux parents. Donc, nous sommes favorables à l'enchâssement dans la loi. Cependant, ce qui nous intéresse davantage, c'est l'efficacité des mesures proposées. La sensibilisation, la formation et l'information des parents doivent faire partie de la mise en oeuvre des structures proposées, et des budgets doivent y être consacrés.

Selon nous, le paragraphe 170(3) devrait être modifié à lire :

«Le lieutenant-gouverneur en conseil peut, par règlement, traiter des conseils d'école, notamment de leur création, de leur composition, de leur mandat, de leur financement et de l'utilisation des ressources de l'école.»

L'effectif des classes : le succès scolaire est sans doute rattaché, du moins dans une certaine mesure, au nombre d'élèves par classe. Les classes peu nombreuses permettent de mieux répondre aux besoins éducatifs de chaque enfant dans la classe, compte tenu des différents styles d'apprentissage et de l'intégration des enfants ayant des besoins spécialisés, que l'on parle d'un enfant doué ou d'un enfant ou un élève qui a besoin de services adaptés.

Les règlements qui seront adoptés doivent tenir compte de chaque classe et non assurer une moyenne «au niveau du conseil scolaire de district». Le calcul d'une moyenne des effectifs par classe pour le conseil scolaire de district créerait des classes très nombreuses dans certaines écoles à cause des réalités démographiques. Nous avons déjà dans la province des classes de plus de 40 élèves, tant au palier élémentaire que secondaire. J'ai un exemple précis d'une école d'Ottawa-Carleton où au secondaire il y a 16 classes qui sont d'à peu près 35 élèves.

La taille du territoire du conseil scolaire est maintenant bien inférieure à celle qui va exister en janvier. Donc, la situation pourrait résulter en la fermeture de la petite

école. Donc, le projet de loi et les règlements qui en découleront doivent remédier à ces inégalités.

Comme les réalités de la province sont des plus diversifiées, le projet de loi doit assurer que les exigences prescrites en ce qui a trait à la taille de classes seront mises en oeuvre en tenant compte des réalités de chaque école individuellement.

En ce qui concerne la dotation différenciée, qu'il soit très clair que la fédération revendique depuis toujours un niveau professionnel élevé pour les enseignantes et les enseignants. Nous ne voulons pas des écoles sans enseignantes ni enseignants dûment brevetés. Cependant, la fédération est d'accord pour que l'on explore la possibilité de faire appel, comme on le fait déjà dans certains domaines très spécifiques, à du personnel autre que des enseignants brevetés. Cependant, la portée de la loi est très large et doit être limitée.

En ce qui concerne la direction, nous constatons que le projet de loi ne prévoit pas que les directeurs, directrices, directeurs adjoints et directrices adjointes fassent partie d'un syndicat autre que celui des enseignantes et des enseignants. Il y a une différence claire entre les responsabilités des gestionnaires et les responsabilités des enseignantes et des enseignants. Nous croyons que, pour bien gérer l'école, les personnes responsables de diriger, de gérer et d'évaluer doivent avoir la latitude nécessaire pour intervenir en tant que capitaine de l'équipe, et nous recommandons un amendement en ce sens au paragraphe 277.1(1).

J'ai terminé.

The Vice-Chair: Thank you very much. You have less than a minute left. If there's one thing more you would like to say, it would be appreciated.

M^{me} Piredda : We would like that whatever savings are made be reinvested in education.

The Vice-Chair: Okay. Thank you for that presentation. We appreciate hearing from you very much.

The next presenter is Orland Kennedy. Is Mr Kennedy here?

Another person has asked to make a presentation. Is it the wish of the committee that he be allowed? Okay. Qasem Mahmud.

QASEM MAHMUD

The Vice-Chair: I probably did not do justice to the pronunciation of your name, but for the Hansard record please state it, and the time has started.

Mr Qasem Mahmud : My name is Qasem Mahmud. I am the chairman of the Islamic Schools Federation of Ontario and a vice-chairman of the Muslim parents association in the capital region.

I don't know if you know this, but we have in the Ontario school system close to 80,000 Muslim students, which represents about 4% of the student population, with a high percentage here in Ottawa, up to 10%.

I would have loved to make a presentation on Bill 160 addressing the various articles in the bill. Unfortunately, I couldn't get a copy of the bill. I went today to the government Access Ontario and I was, I think, the 12th person on

standby and I've been told that the third reading of the bill is not available; it hasn't been printed yet. That shows you that there is no intention, or a lack of interest in public consultation, which I regret.

1600

Mr Wildman: I don't want to take up your time but surely the second reading draft of the bill is available, and if the provincial government office here in Ottawa is telling people that because it hasn't reached third reading the bill is not available, that is completely incorrect and unacceptable. I would hope that matter can be corrected. Surely the office can get some copies of this 260-some-page bill so the public can see it.

Mr Mahmud: Anyhow, I'll try my best to obtain this bill and respond to the various articles in writing, I hope.

As I said, another problem with this bill is that it has been rushed, so we had no time to consult. Only last Sunday we had a meeting of our federation to have a general discussion based on the information we received from the media, and the same thing with the local Muslim parents' association. It takes time to send out notices, form a position and discuss it and so on. It will be worthwhile if the work of this committee could be extended so we will have a chance to respond appropriately to this bill.

What disturbs me in this bill — and before I say this, I've been involved in education for the past 30 years. I am a community worker. I am not a teacher by profession. I am an engineer by profession. I wrote books for kids. I run language schools. I run summer camps and am very heavily involved with children's education, including my six kids, who went through the system. I still have a son who goes to high school. The way I see it as an educator, the education system deals with learning media, the deliverers of these media to the students, the school environment, the administration. The stakeholders in this education system are the students, the parents, the teachers, the administrators. Without the partnership of these groups we cannot succeed in improving the education system.

A lot of negative things have been said about the education system in Ontario. I fully disagree with all those who talk negatively about education, because it depends; we can argue about the quality of education until doomsday. Everybody has an opinion. I couldn't force my daughter, who was artistically oriented, to be a mathematician, but she mastered seven languages, she paints, she writes songs and she writes poetry. That's the route she has chosen to follow, so I cannot accept the argument of somebody who says we have to force high standards of mathematics on people.

You look at the United States leading in every area, yet maybe they rate not very highly within the measurement system they use for achievers. We have to think of a system and a quality that suit this province and this country. This has to be decided by the stakeholders I have mentioned.

When I got some information about Bill 160, I thought the government was going to bring us a very good bill and system. I made the comment, "Good for you. You are on the right track," but unfortunately when I listened to the Premier on October 22 I was very, very disappointed

because the Premier gave the figures and he addressed me, as a taxpayer, "You are paying too many taxes for education." When I did the calculation I said, "Oh, the Premier is going save me 5% on my taxes," which amounts to \$50 in a year. If he had asked me, I would have said I'm not worried about this \$50.

If the teachers are going to be happy, if they are not going to be demoralized, if I am not going to create chaos in the system, why worry about the saving? The message I got from the Premier is, "We are going to save you money and this is the way I am going to do it: I'm going to cut down preparation time for teachers, I'm going to do this, I'm going to do that." I was completely turned off and disappointed by this argument.

I fully agree with the Ministry of Education and Training that they have to have ownership of the curriculum. I would like to see a province-wide, accepted curriculum that everybody can be happy with. I agree with equitable funding for various schools. That's a good thing to have. Teachers' qualifications, who is going to teach and who isn't, like some people said, "Surely I can teach, but I am not a trained teacher, and I don't know how to deliver the information properly and ensure that the students are going to understand."

Surely the Minister of Education and Training could bring in legislation to empower the parents in the education system. This is desirable. Equality of treatment of children is important. You know we, as minorities, sometimes suffer because of this inequality in the education system. The ministry can deal with this. Taxation, again in my opinion, should be in the hands of the ministry, but when it comes to the quality of education and the delivery of good programs for kids I believe teachers, parents, students — and I underline "students," as we often ignore them — are the most important people we have to consult with and make sure we take their opinion.

The last point: I think whoever thought of lengthening the school year is not very wise, because what you understand from this is that only schools can teach you. They ignore the functions of the communities, the summer camps, family trips or whatever. These are educational tools we can use. As a community worker I'd like to have the members of my community for some time so we can organize functions to keep the community together and to prevent our kids from straying away and so on. You have to take this into consideration. Thank you.

The Vice-Chair: Thank you very much. You have used up your time. We really appreciate your filling your position because it was well listened to, believe me.

1610

ONTARIO ENGLISH CATHOLIC
TEACHERS' ASSOCIATION,
STORMONT, DUNDAS AND GLENGARRY.

The Vice-Chair: The next group we have is the OEETA, Stormont, Dundas and Glengarry. If you people

would introduce yourselves for Hansard, your time has started.

Mrs Ariane Carriere: My name is Ariane Carriere. I'm president of the Ontario English Catholic Teachers' Association. To my left is Greg McGillis, whom you've met before; John McEwen to my right; and Betty Eadie, who is president of the women teacher's association. I'm a separate school teacher but I'm very proud of the fact that today we saw in the newspaper, "The public school board backs the withdrawal of Bill 160." That was in our local newspaper today.

The presidents with me today work well together. As a matter of fact, we work together on almost everything. That's why we're here before you a second time. We are dressed the way we are because we came from Moose Creek this morning, the home of Noble Villeneuve, Minister of Agriculture, Food and Rural Affairs and minister responsible for francophone affairs, and we haven't had time to go back to Cornwall to get changed. I'm going to address some of the pedagogical concerns within Bill 160 in the same brief you had just a few moments ago, and as an elementary teacher I'm going to talk about secondary preparation time.

The government is somewhat confused when it comes to the issue of preparation time. In the secondary schools what the government considers preparation time actually includes half preparation time and half duty period where on-calls, cafeteria and hall monitoring and other duties may be assigned. The on-call duty periods are pupil contact time, because teachers are replacing someone else who may be out for illness or because the employer wishes to utilize the class teacher for other purposes during that period. In the same fashion, the other types of duty periods also involve contact with students. The actual secondary teacher preparation time is half what the government thinks it is.

The government is also operating from a false premise in terms of the classroom teaching time in Ontario schools. We have included for you a graph that was taken from *The Road Ahead*, a report of the Education Improvement Commission. No citation for the source of these data was given. The data for the graph do not appear in any of the publications of Statistics Canada, the Canada Council of Ministers of Education, the Canadian Teachers' Federation or any of the recognized international organizations which are available to the witnesses or their respective research organizations. An independent examination of this claim is currently under way and we just, this afternoon, received some information which John is going to share with you.

Mr McEwen: I have here in my hand a set of teachers' timetables from schools all across the country. We have found that, contrary to the claim in *The Road Ahead*, Manitoba teachers spend 3.5 hours in the classrooms. Contrary to the claim in *The Road Ahead*, New Brunswick teachers spend 4.06 hours a day in the classrooms. Contrary to the claim in *The Road Ahead*, British Columbia teachers spend 4.375 hours a day in the classroom. Contrary to the claim in *The Road Ahead*, PEI teachers

spend 3.75 hours per day in the classroom. The Road Ahead did underestimate one: Alberta teachers spend 4.6, not 4.4, hours per day in the classroom. Newfoundland teachers spend 4.0, not 4.35. We don't have a national average yet because we don't have a Nova Scotia value. Quebec teachers spend 3.3 to 3.4 hours a day teaching, not 4.0. The Saskatchewan value is correct.

If you take preparation time, all the provinces we have investigated, with the possible exception of Saskatchewan, have more preparation time for their secondary school teachers than is the case in the province of Ontario. Most of those provinces do not have any assigned duties. That's right. In Alberta, where the teachers are in class longer, in British Columbia, where the teachers are in class longer, in New Brunswick, where the teachers are in class longer, in Newfoundland, where the teachers are in class longer, there are no assigned duties, so the teachers in those provinces have more preparation time than secondary school teachers in Ontario. This is also true of the teachers in PEI, Manitoba and Quebec.

As I said, we have not done a national average, but I would suspect, from these preliminary findings, that Ontario teachers are spending time in the classroom in excess of the national average. I trust that the Minister of Education and Training will cease to make these false claims and I hope, if the parliamentary assistant is present, that he will ensure that is the case.

The government has used this "evidence" as justification for the cuts the government is planning to make in the number of teachers. To suggest that cutting preparation time results in more time for teachers to be with their students, as the Premier and the two ministers of education have done, is to deceive. The planned teacher reduction will result in fewer teachers per student and thus less teacher time with each student.

Mrs Carriere: Another issue that is of great concern to the teachers in SD&G is the use of unqualified personnel in the classroom. You have already received the questions the OECTA provincial office presented to you in their brief. We have added a few more questions of our own: Will these persons commit themselves to a full school year or at least a full semester to instruct their speciality? Will these persons be responsible for any extracurricular activities? At the elementary level, will these persons be responsible for yard duty and lunch duty or will that be left to the fewer remaining teachers? At the elementary level, what will happen when these persons come in to teach their one subject? Traditionally, elementary teachers teach every subject to their students across an integrated curriculum. Who will deal with discipline in the classroom? Are these people responsible for instruction only or are they expected to mark papers, do long- and short-range planning, contact parents and prepare all the necessary materials for their instruction?

The misuse of regulations: Teachers are especially concerned with the use of regulations in Bill 160. According to the bill, the Lieutenant Governor in Council will be able to do many things. The most offensive, however, is the no-presumption clause. The Lieutenant Governor in Council

will identify non-teaching duties and non-teaching positions. The bill then goes on to say: "it shall not be presumed that a person is required to be a teacher solely because he or she holds a position that is not designated..." under the previous clause "or performs duties that are not designated under this clause." This means to us that there is no teaching position that cannot, if the government decides, be deprofessionalized. I'm going to leave it to John to finish off.

Mr McEwen: Our system of British parliamentary democracy has evolved over hundreds of years. The oft-wed monarch Henry VIII was one of the last to have the power to make laws without the consent of Parliament. One hundred and sixty years ago, what would become Ontario was engaged in a struggle against the Family Compact, a struggle that led to responsible government. This section takes Ontario back to the days of absolute monarchy, where the crown can make laws without the consent of the Legislative Assembly. You place yourselves above and beyond the law, and some of you will tell me it is wrong for me to take a political action which is perhaps outside of the law, yet you stand above the law yourselves. How hypocritical.

We have but one recommendation: Scrap this bill and start again. Use a truly democratic process. Kill Henry VIII.

Applause.

The Vice-Chair: Please. Your time has expired, and if we have one more breakout like that, we will adjourn.

Mrs McLeod: On a point of order, Mr Chair.

The Vice-Chair: Can I call the next group? Thank you. I call the next group, the AEFO Ottawa-Carleton board.

Mr Wildman: On a point of order, Mr Chair.

The Vice-Chair: I'm already addressing a point of order from Mrs McLeod.

Mrs McLeod: Mr Chairman, I would like to place on record two questions for the parliamentary assistant to seek a response to. First, I would ask that the Ministry of Education reconcile the data on preparation time that have just been presented to this committee with the data that in the report of the EIC, The Road Ahead.

Second, I would like the Ministry of Education to provide this committee with an estimate of what it will cost local school boards to replace the on-call portion of preparation time with the use of occasional teachers. I think that is potentially an increased cost to local school boards that has not been calculated and I feel we should have that information.

The last area of questioning I think might be most appropriately placed either to the clerk of the committee or to the legislative researcher, who must be amazed that I have not asked him to do any research in the course of these hearings. I am concerned about the lack of availability of information, specifically access to this bill. This is not the first time we have heard it today. I am not sure whether there is a new procedure being followed or whether there just seems to be a problem or whether there is an unusual degree of public interest. Yesterday in

Thunder Bay we heard there was only one copy of the bill available even in the library.

If we could please ask just for some information. I realize it won't come in time for the completion of our hearings, but I am interested, on an ongoing basis, in whether or not the public has adequate access to the bill at second reading stage.

The Vice-Chair: Thank you. A point of order, Mr Wildman?

Mr Wildman: This is in relation to the matter that has been raised by my friend from Fort William. I would ask that the parliamentary assistant also provide to the committee information that will clarify the source of the statistics the Education Improvement Commission published in *The Road Ahead*, in the graph that was referred to by the delegation that has just made its presentation, and if these figures are incorrect, how they were calculated.

The Vice-Chair: Okay, thank you. We'll see that that happens.

1620

ASSOCIATION DES ENSEIGNANTES
ET DES ENSEIGNANTS
FRANCO-ONTARIENS DE L'ONTARIO,
OTTAWA-CARLETON

The Vice-Chair: Welcome. For the record of Hansard, could you identify yourselves, and your time will start.

M^{me} Claudette Boyer : Merci. Je suis Claudette Boyer de l'AEFO, l'Association des enseignantes et des enseignants franco-ontariens d'Ottawa-Carleton. J'ai avec moi Miriam Gélinas, qui est la présidente des enseignantes et des enseignants d'Ottawa-Carleton pour l'élémentaire public ; Henri Nadeau, qui est le président de l'Association des enseignantes et des enseignants, secondaire catholique; et Jacques Mancion, qui est le président de l'AEFO secondaire public.

L'Association des enseignantes et des enseignants franco-ontariens d'Ottawa-Carleton désire communiquer au comité permanent de l'administration de la justice ses réactions et recommandations ayant trait au projet de loi 160. L'AEFO d'Ottawa-Carleton représente 1394 enseignantes et enseignants qui oeuvrent auprès d'élèves de langue française aux paliers élémentaire et secondaire.

Dans la rédaction de ce mémoire, l'AEFO d'Ottawa-Carleton a considéré l'impact du projet de loi 160 sur la qualité de l'éducation en langue française, sur les élèves et sur les enseignants. Vous ne serez sûrement pas surpris d'apprendre que nous partageons les préoccupations des autres associations d'enseignants et d'enseignantes de la province.

Le système des écoles de langue française est particulièrement vulnérable aux changements législatifs et financiers du gouvernement provincial. Nous sommes heureux de constater que le gouvernement a pris la décision de procéder à la création de 13 conseils scolaires de langue française. C'est une mesure qui répond aux

décisions des cours de justice et nous souhaitons les maintenir.

Selon nous, le projet de loi n'a rien à voir avec la qualité de l'éducation, et cette qualité a un prix. Nous sommes particulièrement concernés par l'article suivant, 170.1, soit de déterminer la taille des classes et les méthodes de calcul utilisées, fixer le minimum de temps durant lequel une enseignante ou un enseignant est assigné pour enseigner au cours de la journée scolaire, désigner des postes qui peuvent être comblés par du personnel non enseignant et établir les qualifications requises pour ces postes.

Selon nous, ces articles ne permettent pas d'améliorer la qualité de l'éducation comme on le prétend. Ils permettent plutôt de réduire d'environ 650 \$ millions additionnels le financement de l'éducation pour la prochaine année scolaire. Le projet de loi donne la possibilité au Cabinet de réduire davantage dans les années à venir.

Croyez-moi, ces compressions budgétaires signifient pour les écoles une réduction du nombre d'enseignantes et d'enseignants. Pour les francophones d'Ottawa-Carleton, le seul article qui traite de la réduction du temps de gestion au secondaire entraîne une perte d'environ 20 % d'enseignants qui ne seront plus là pour assurer la qualité de l'éducation. Ce chiffre ne tient pas compte de l'augmentation possible de la taille des classes.

La réduction du nombre d'enseignantes et d'enseignants signifie aussi que dans certaines écoles, il ne sera plus possible d'offrir un programme complet et diversifié. Il serait aussi possible que certaines petites écoles françaises doivent fermer leurs portes. Faute de programmes complets et d'écoles, les élèves iront s'inscrire dans des écoles anglophones. Nous sommes inquiets pour la survie de nos écoles françaises et de la qualité de l'éducation de langue française en Ontario.

De plus, l'augmentation de la taille des classes et la réduction du temps de gestion, qu'on appelle à tort et à travers «temps de préparation», auront des effets négatifs sur les tâches pédagogiques qui sont effectuées par les enseignants et les enseignantes et qui font partie d'un enseignement de qualité pour n'en nommer que quelques-uns, les entretiens avec les parents, les rencontres avec les parents, l'aide individuelle aux élèves, les rencontres avec les membres de la direction pour discuter de cas d'élèves, et j'en passe.

De plus, un système de dotation en personnel de deux niveaux engendrerait des difficultés pour la supervision des élèves et pour la communication d'information tout en affectant l'esprit d'amitié et de collégialité qui règne présentement dans nos écoles. L'introduction de personnel non breveté créerait des divisions dans le personnel, pourrait compromettre l'atmosphère des écoles, et par conséquent nuirait à la qualité de l'éducation. Cette déprofessionnalisation de l'enseignement va à l'encontre de l'Ordre des enseignants, qui a comme mandat de veiller au perfectionnement professionnel et à la validité des brevets des personnes qui remplissent des tâches pédagogiques.

Le projet de loi enlève le droit de négocier localement les conditions de travail, telles que les tâches de l'enseignant et de l'enseignant et la taille des classes. Dans un milieu hétérogène comme celui d'Ottawa, qui doit absorber plusieurs nouveaux arrivants, les besoins sont diversifiés, et on ne pourra plus tenir compte des besoins particuliers.

Une étude menée aux États-Unis révèle que la syndicalisation du personnel enseignant a un effet positif sur le rendement des élèves. L'un des avantages de la négociation est que les enseignantes et les enseignants ont plus d'influence sur les conditions qui influent sur le rendement scolaire, telles que la taille des classes, les ressources pédagogiques, la formation du personnel enseignant, les services scolaires et sociaux.

Le projet de loi 160 pour nous représente une réglementation arbitraire qui enlève aussi la possibilité aux parents d'avoir un droit de regard sur l'enseignement. Le budget géré par le pouvoir centralisé déterminera, par exemple, l'existence de classes doubles ou de différents niveaux de difficulté. Les parents n'auront plus de moyens de pression au niveau local et encore moins au niveau provincial. Je dois vous admettre qu'au début de l'année scolaire 1997-1998, à l'élémentaire francophone nous avons même dû contester l'existence de classes triples.

Voici quelques recommandations que nous vous donnons :

Que la loi assure le droit de négociation au niveau local ;

Que le personnel non breveté soit décrit comme étant du personnel additionnel qui ne remplit pas de tâches pédagogiques comme, par exemple, l'enseignement et l'évaluation de l'élève, et que ce personnel ne fasse pas partie du rapport élève-enseignant.

En conclusion, plusieurs autres articles du projet de loi, tels que les articles sur l'ancienneté et sur le contrat des enseignantes et des enseignants, nous inquiètent énormément. Nous admettons que le système scolaire a besoin d'être amélioré, mais nous tenons à souligner qu'en général, le projet de loi 160 nous apparaît comme une masse quelconque, ambiguë, vague, et imprécise qui à n'importe quel moment recevra la forme, la couleur et les dimensions que voudra bien lui donner le Cabinet de l'heure selon les caprices de son budget.

1630

Notre association d'enseignantes et d'enseignants d'Ottawa-Carleton en est une qui accepte le changement mais qui ne se pliera pas à des décisions politiques qui n'ont rien à voir avec la qualité de l'éducation et tout à voir avec la réduction des effectifs et les coupures budgétaires. Nous espérons que vous saurez prendre en compte les recommandations contenues dans notre mémoire.

Merci de votre attention.

The Vice-Chair: Thank you very much. We have about a minute left. I'll take a chance on doing about 30 seconds per group, if we can.

Mr Wildman: Merci beaucoup pour votre présentation. Can I ask, if you want to have local negotiations, is it

also a concern with Bill 160 that unless the funding formula is clear, we're sort of, to use the English expression, buying a pig in a poke if we pass this bill?

M. Henri Nadeau : Il est clair que nous désirons une négociation locale. Toute la négociation se joue, bien entendu, au niveau du financement. Alors au niveau des formules qui sont proposées actuellement, on ne les connaît pas. Même les conseils scolaires actuellement, à ma connaissance, les directeurs de l'éducation les recherchent et les veulent, et tout ça va être déterminant au niveau —

The Vice-Chair: Thank you.

Mr Wildman: By regulation.

M. Beaubien : Dans ma circonscription, des écoles scolaires francophones catholiques séparées et publiques font une compétition pour les étudiants et les étudiantes. Je ne sais pas le nombre exact, mais je dirais qu'il y a environ 400 à 500 élèves dans la région, alors les deux conseils scolaires ont beaucoup de difficulté à essayer de faire parvenir les instructions nécessaires aux étudiants et aux étudiantes. Comment pourrait-on résoudre une telle difficulté dans les régions où les francophones n'ont pas la masse, où le nombre d'élèves n'est pas là ?

M. Grandmaître : One very short question. Madame Boyer, vous avez parlé de gestion et de financement. Vous avez même mentionné que le gouvernement avait annoncé 12 conseils scolaires de langue française additionnels en Ontario. Est-ce que vous avez confiance que le gouvernement puisse aller de l'avant avec les réductions, avec les compressions budgétaires que le gouvernement s'appête à annoncer ou a même annoncées, une réduction de 670 \$ millions ? Est-ce que c'est possible de le faire ?

The Vice-Chair: We've really run out of time, but just a quick answer if you could. We'll give you that privilege.

M^{me} Boyer : Premièrement, Monsieur Grandmaître, je vous réponds que l'on ne peut pas se réjouir — on est contents de la proposition d'avoir 12 conseils de langue française, mais sans le financement on ne sait pas où on s'en va. Si on coupe 650 \$ millions, est-ce qu'ils vont vraiment trouver l'argent pour les francophones ? On voit ce qui est arrivé en santé pour les francophones.

The Vice-Chair: Thank you very much for the presentation.

PAUL FITZGERALD

The Vice-Chair: The next presenter will be Paul Fitzgerald. Welcome.

Mr Paul Fitzgerald: I'm here today to speak in favour of Bill 160. I am a concerned citizen, and although I am not a teacher as defined by the act, I am very much an educator. I've got six years' experience as an English-as-a-second-language teacher at the University of New Brunswick. I worked for a year as a classroom assistant in Quebec City and I am a co-founder of the University of Western Ontario business school's leader project.

Some of you may be aware of that. That's a project that teaches free market business practices and has done so to over 3,000 entrepreneurs all over the former east bloc

over the past six years. That project won an international award, and the pedagogical methods used in that project were adopted by the United Nations development agency for use in Mongolia. In addition, I have also taught management strategy and marketing for two years in both Moscow and St Petersburg in Russia. But I repeat, under this act, I am not a teacher.

A reading of the government's literature reveals that the stated goal of this act is "to improve student achievement in Ontario so that it is the highest in Canada." That is not enough. When was the last time you heard of Corel hiring software engineers from Manitoba? What about India, Russia and the Czech Republic? No, our goal must be higher. It should be "to improve student achievement in Ontario so that it is among the top 10 in the world." Right now, we're roughly 38th in math and 35th in science. We can quibble all we want about how valid any particular test is, but at the end of the day, Ontario students are competing with the world's best in both math and science for intellectually stimulating jobs in today's global economy.

Having taught in Russia, which scores 20 places higher than Canada in both math and science, let me comment on a few differences between their system and ours. In Russia, a teacher is "someone who teaches." In Ontario, it is "a member of the Ontario College of Teachers." Please note, the Ontario definition includes many people who haven't darkened a classroom door in quite some time. Not only does this skew the student-teacher ratios by including non-teaching administrative personnel, such as principals and consultants, but it serves as a barrier to entry for the teaching profession. A barrier to entry is, in and of itself, good. We do want qualified and vetted persons teaching our children, but the Russians go a step further. If you teach music in Moscow, you are a musician, probably with a degree in music. If you teach English as a second language, you are probably a certified English-Russian translator with pedagogical training. In each case, your pedagogical training comes on top of a specialized degree in the subject you will be teaching.

By contrast, in Ontario for years prospective teachers learned how to teach, studying pedagogical methods, psychology and group facilitation, with relatively little emphasis on the content to be taught. Deficiencies in that situation have provoked the current regime where a prospective teacher does a one-year BEd after having completed an arts or science degree.

Even with these situations, many Ontario students do not study in a Russian-style classroom; that is, where a qualified teacher teaches a subject in which he or she has specialized. Instead, we see regularly otherwise qualified teachers teaching a subject about which they know relatively little. In the past two days I have received four complaints from new teachers who are not allowed to teach their subject areas because union seniority has allowed a longer-serving teacher to claim the job. Frankly, we could double the amount of money we spend on education without increasing our students' performance one iota if we continue to allow the gym teacher to teach physics.

Another big difference between the Russian system and ours is that in Ontario 35% to 47% of school board money is spent outside the class. Russia's economy does not permit such luxuries. Rather, because they have qualified subject specialists as teachers, curriculum development is easier. Rather than showing the English teacher how to explain cellular biology, they are showing experienced math teachers ways of improving the teaching of math.

Finally, the Russian education system actively encourages the in-class participation of any person who can make the learning experience more productive. It is not uncommon for Russian schools to invite foreigners to participate on a regular basis in English- or French- or German-as-a-second-language classes. The wives of diplomats posted in Moscow spend regularly two to three mornings a week in Russian classes, helping Russians to be the best in the world at the learning of foreign languages. Let me tell you, having taught in Moscow, the teaching of a second language in that country excels far beyond what we have even in the Ottawa area where bilingualism is so current.

The Russians have little choice. They know that their future depends on an educated population and they don't have the money not to be creative. They know they must be able to compete with the best and brightest in the world, and they don't plan to be second.

I think I must tell you that, having taught there, having seen the students their education system puts forward, there is one hell of a difference between 15th in the world and 35th in the world. It's the difference between intuitively knowing how to put a sign through a door — by taking the hypotenuse of the door — you don't have to sit there and make it a complicated problem. You know immediately how to do your math, you know immediately how to do the thinking, you know how to solve problems. They are a quantum step ahead of Canada and they have Canada's natural resource base. If we're not careful, they are going to clean our clocks once they get their economy sorted out.

1640

I also want to comment on classroom size. I am fully in favour of specifying student-teacher ratios, classroom size, but only if the word "teacher" is amended to read, "a member of the Ontario College of Teachers who spends at least 60% of his/her day in the classroom." Such an amendment would make the expression "student-teacher ratio" meaningful to the public at large.

Finally, previous participants have commented on desires to put the teacher in charge of education in the classroom. I agree fully. Let's start by asking the unions to put seniority, preparation, and whether to continue their current course of action to a secret vote. That will ensure that the decisions made by teachers are in fact made by rank-and-file teachers to the greatest extent possible. Thank you.

The Vice-Chair: Thank you for that presentation. We have approximately 30 seconds per side for a statement, starting with the government side.

Mr Smith: Thank you very much for your presentation. I found it informative, and appreciate your appearing before the committee today.

The Vice-Chair: From the government side, Mr Cullen.

Mr Cullen: Government side? Thank you for your presence there.

The Vice-Chair: Excuse me, I'm sorry.

Mr Cullen: Mr Fitzgerald, I knew the Russians played good hockey but I didn't know that their educational system not only exceeded ours but exceeded Sweden, Germany, New Zealand, England, Norway, Denmark, the United States, Scotland and Spain. All these are countries that apparently are below Ontario in these international tests, and I'm sure that they too will be equally as enthusiastic in following the Russian model, which has proven to be so successful to date.

Mr Fitzgerald: I might respond by saying that is indeed true, but if you look at Ontario compared to Canada, Ontario right now is beneath worn-torn Cyprus. Clearly we have a lot of learn from a country that's 20 places ahead of us in the line.

Mr Cullen: I'm sure the Americans will be pleased to hear that.

Mr Wildman: I found your presentation thought-provoking. I would ask, though, one thing. You did mention Corel in passing. Is it not true that Bill Gates repeatedly has hired almost the whole graduating class at Waterloo? Isn't that an indication that our education system must be training at least those students well?

Mr Fitzgerald: It's an indication that the élite from Canada's educational system do in fact compete with the élite anywhere. But we're looking at the people who are in the next 95 percentile. We're looking at the average person. What are their chances in an information-based economy? Unless they're at the top of the class —

The Vice-Chair: Thank you very much. Your time has expired. I appreciate your presentation.

WOMEN TEACHERS' ASSOCIATION OF OTTAWA

The Vice-Chair: The next group is the Women Teachers' Association of Ottawa, if you would come up and introduce yourselves for Hansard. I would also like to welcome Jean-Marc Lalonde to the committee hearings. Go ahead.

Ms Lisa Falls: How do you do? I'm Lisa Falls. I'm with the Women Teachers' Association of Ottawa. I'm the president. I have brought two classroom teachers from the Ottawa Board of Education to speak to you about non-professional personnel in the classroom. I'd like to introduce Gretta Bradley, on my right, and Jane Burton, on my left.

Ms Gretta Bradley: When we were informed that we would be given the opportunity to speak to the issue of non-professional personnel in our classrooms to this committee, we immediately began to examine the reasons why children benefit from committed teaching specialists.

Simply presenting the arguments wasn't very satisfactory. It didn't begin to describe the complex nature of teaching children. I would therefore like to describe the knowledge, skills, experience and dedication one committed teaching specialist in our school brings to her children.

Jane is the drama teacher at our school. It has been suggested that Jane could be replaced by non-teaching personnel. Jane is typically at school at 6:30 am and does not leave before 6 pm. She teaches every child in our school, which has a population of nearly 500 students, 11, 12 and 13-year-olds. She begins her day with rehearsals for choir or for any one of the many productions that students will perform throughout the year. These productions often include up to half the student population, a student population which is as diverse as any you will find in the Ontario school system.

Fisher Park school has children from at least 20 countries who speak upwards of 30 languages. Our school has children living in public housing, children who have physical challenges. Some are gifted, some are struggling to acquire English, and some come from homes that are violent or chaotic. Although we value highly our diversity, these productions are one of the few opportunities where we can forget our differences and work together towards a common goal. They are the glue that binds our school together. Due to Jane's tremendous abilities as a drama specialist and her knowledge and skill as a teacher, these productions are not only of the highest quality but bring kids of diverse backgrounds together to accomplish something of which they are tremendously proud.

By 8:45 am her home room is streaming in the door. She dons her teacher's cap and records the lateness and absences. She speaks to a student about a concerning pattern of absences to determine its causes and possible solutions. She lets students know that she wants them at school and she cares about them being there. She sees that Hung is squinting and makes a note to contact the multicultural liaison officer to make arrangements for a Vietnamese translator to assist his mother in getting glasses for Hung. Sarah has arrived sullen and uncommunicative and is ready to explode at the slightest provocation. Jane takes the time to speak to her privately as students are moving to their first class. She empathizes, discusses some coping strategies, and arranges for Sarah to talk to the guidance counsellor.

When her first class arrives, she begins to implement a program that has taken hours and hours of careful planning, preparation and revision. Her training as a teacher tells her to begin with the objectives as outlined in the curriculum, search for resources appropriate for the age and ability of her students, design activities appropriate for the young adolescent learner that not only accomplish her objectives but motivate her students, and modify her program to fit the needs of individual children: children who are gifted, children with learning disabilities or children who don't speak English. She designs methods of evaluation that give her information about how well her students have accomplished these objectives.

As the class proceeds, Jane carefully introduces each activity in a logical sequence of skills. She again relies on her teacher training and uses proactive management strategies to ensure a safe learning environment where the class runs seamlessly from one activity to the next. What materials are needed when, how materials are distributed, arrangements of students in the classroom and classroom routines are all given careful consideration. Jane's training as a teacher allows her to adapt to the needs of her class.

Chantal's group is causing a minor disruption. Jane realizes the class does not have the social skills to carry out the assignment. They are calling each other names, interrupting each other, and some are sitting back and not participating at all. She changes her lessons in order to teach in the social skills that they need to work effectively in a group. Jane then modifies the language for an ESL child so they that they can take part to the best of their ability. Another student is confrontational. She uses humour this time to turn the situation around without major disruption to the class.

During her preparation time, she fills in the paperwork for an educational assessment for a child who is not achieving her learning potential. She adds her observations as a trained teacher to those of her colleagues. She is a functioning member of a team of professionals who are dedicated to helping children achieve their potential, not just a drama coach. She phones one parent to discuss the child's progress and another to arrange a meeting. At lunch she is rehearsing *Ebony Road*, a play written by a teacher in our school to celebrate Black History Month.

Finally, her home room class returns to wrap up their day. Jane teaches the skills that will help her students become self-directed learners. Young adolescent learners often lack the organizational skills needed to cope with a seven-period, seven-day schedule. She encourages students to use a student planner and shows them how it can be used to organize their long-term assignments. For those on individual logs, she cajoles, rewards and lectures. In other words, uses every skill in her teacher's bag of motivation techniques. The bell rings and her home room files out.

Jane decided a few years ago that she would like to involve the community in school drama productions. This meant long hours of her own time. It meant dealing with adult schedules and commitments alongside the arrangements for students to attend practices out of school time. When Fisher Park school and community performed that night, Lucy Maud Montgomery herself would have been proud to see kids of all sizes, shapes, colours —

Interruption.

Ms Bradley: Is that the fire alarm?

The Vice-Chair: I would think it's a fire alarm. It's not the school bell, I'm sure. We'll recess at least until the noise stops.

The committee recessed from 1652 to 1701.

The Chair: Could I call the meeting back to order. Thank you very much, Ms Falls. I understand from Mr Rollins that there's two minutes left for your presentation. Please proceed.

Interruption.

The Chair: We'll make allowances. I think you should just proceed. You have two minutes, but we will certainly make allowances to make sure that you have a full opportunity. It must be very disconcerting to have an alarm go off during your presentation. We understand that. Please continue.

Ms Falls: It's not disconcerting for teachers to be interrupted by the fire alarm or anything else.

The Chair: Touché. Please proceed.

Interjections.

The Chair: Could we give the presenters our attention. Thank you.

Ms Falls: So when Fisher Park school and community performed that night, Lucy Maude Montgomery herself would have been proud to see kids of all sizes, shapes, colours, creeds and religions as kindred spirits in their production of *Anne of Green Gables*.

Ms Bradley: Although this describes my day, these scenes repeat themselves in different ways in Frances and Marco's gym classes, Sherry's design and technology room and computer lab, Greg's art classes, Yan and Fern's ESL classes and Susan and Ara's ESD classes.

We already have specialists in our classrooms, specialists who are teachers trained in curriculum development and modification, evaluation and testing techniques, classroom management, child psychology, child development, learning and behavioural psychology. They are committed to learning the skills of teaching over a career. They do not drop in and out of teaching, never acquiring the experience and skills of this complex profession. Our teacher specialists are people who care first and foremost about children and their learning.

The question is not can we afford the Marcos, the Franceses, the Sherrys, the Gregs, the Yans, Ferns, Susans, Aras and myself, but can we afford not to have them? Educating the whole child is extremely complex in nature, as each child has his or her own unique way of learning and each carries an individual sense of self-worth. Your children and my children, the children of Ontario and their futures are at stake. This bill must go. Thank you.

The Chair: Is there anything that you would like to say in conclusion? I'm willing to give you a little more time simply because of the interruption.

Ms Falls: I understand there's question. Is it you who has the opportunity to ask?

The Chair: No, usually the caucus would, but there was only two minutes left so there really is no time to do a proper caucus question unfortunately. Yes, ma'am?

Ms Burton: I would like to say that it has crossed my mind many times when I think to myself that perhaps you don't understand that we do bring different people into our classroom to add to it already. These are great expenses we go to. Some of these people who are very special in their area of art, drama or whatever cost us a great deal, perhaps \$250 for one morning, or \$350 for the whole day, but they will only take 12 to 20 children at a time. But

they require a different timing that is not within our schedule in our schools.

We have done fund-raising. Parental committees have provided money. We have gotten businesses to add money so that we can do these kinds of things. This is already happening in school, but I do not believe that they could come in and, on a day-to-day basis, deal with all the things that you have heard that are in just one of my days. I might add that each and every day provides me with those challenges and even more.

Ms Bradley: Those specialists always require a teacher's presence as well. I've never had one say they would take the children on their own.

The Chair: Thank you very much for your presentation here today.

GARY, KELLY AND DANIEL O'DWYER

The Chair: Gary, Kelly and Daniel O'Dwyer. Welcome. Please identify yourself once you start to speak for the purposes of the record and proceed.

Mr Gary O'Dwyer: My name is Gary O'Dwyer and I take great pride in stating that I have been teaching for over 20 years. As a classroom teacher, I have been privileged to teach some outstanding citizens, the young people of Ontario.

In the past two years, I've been very fortunate to have met with the former Minister of Education and engaged in discussions regarding educational reform, along with students in a senior politics course. At the time, I believed that the Minister of Education, John Snobelen, had taken student questions and recommendations quite seriously. In the end, we have Bill 160.

Ms Kelly O'Dwyer: My name is Kelly O'Dwyer. I'm currently a first-year student at Carleton University.

In discussions with the minister, students asked whether education cuts would impact negatively upon the classroom and they were told no. Students asked if the cuts would total over \$1 billion. They again were told no.

Since their discussions —

Interruption.

The Chair: I think, so that you can get the train of your thoughts, we'd best start right from the beginning, if we may.

1710

Mr O'Dwyer: My name is Gary O'Dwyer and I take great pride in stating that I've been teaching for over 20 years. As a classroom teacher, I have been privileged to teach some outstanding citizens, young people in Ontario.

In the past two years, I've been very fortunate to have met with the former Minister of Education and engaged in discussions regarding educational reform, along with students in a senior politics course. At the time, I believed that the Minister of Education, John Snobelen, had taken student questions and recommendations quite seriously. In the end, we have Bill 160.

Ms O'Dwyer: My name is Kelly O'Dwyer and I'm currently a first-year student at Carleton University.

In discussions with the minister, students asked whether education cuts would impact negatively upon the classroom and they were told no. Students also asked if the cuts would total over \$1 billion. Again, they were told no.

Since their discussions, students have found via media reports that they were given incorrect information. It is with little wonder students view politicians with so much disdain and contempt.

In his address to the citizens of Ontario the Premier stated that Bill 160 was about improving education in Ontario; that the bill was about limiting class size; that the bill was about putting teachers back into the classroom; that the bill was about curriculum change, standardized testing and standardized report cards. The students who have read the bill cannot find any of this in the bill. Thus, they have come to the conclusion that either the Premier has not read the bill or is misleading them — not a very pleasant scenario.

The conclusion which students who have read the bill have come to is not very positive. Allow me to cite in detail some student concerns and observations regarding Bill 160.

When one studies the bill, he or she is left with more questions than answers. Legislation such as this should provide a definite plan for the future of Ontario's education. Instead, it provides rather ambiguous proposals to grant absolute power to the Minister of Education without accountability. Decisions could be made without debate in the Legislature or public consultation, which seems somewhat less than democratic. This leaves one to make speculative predictions about what the education system will be like in the next few years. The pressing question is this: Are the proposals made in Bill 160 truly meant to improve the quality of education?

If we, the youth of Ontario, are to re-establish our confidence and faith in the political system in general and politicians specifically, then the government must clarify what its true ambitions are regarding Bill 160. Remember, I along with many other young people will be voting not only in the next election but in many to come and we will remember who was honest and who was dishonest with us in the Bill 160 debate. I urge each and every politician to state clearly what Bill 160 is really about.

Mr O'Dwyer: The gentleman seated to my left is my father, Daniel O'Dwyer. As you can see, he's a veteran of the Second World War. I am exceedingly proud of him for his contribution to democracy and to the quality of life we enjoy in Canada and specifically Ontario today.

You see, committee members, we are here today as examples of the tremendous benefits our country has offered its citizens due to the efforts of my father and others like him. I was the first of our family to graduate from university. My daughters enjoy the same opportunity that I had due to the quality of education and opportunity which exists and has existed in Ontario.

The assault on democracy demonstrated in Bill 160 is an insult to those who gave so much for our country. Bill 160 has the potential to destroy the opportunity to excel in life that I had and which I want for my children. It is an

undeniable fact that this bill is not about quality education but about taking money out of a strapped education system in order to benefit a few wealthy individuals.

I direct the following questions to the members of the committee through the Chair. You can think of it as a quiz or a test. You seem to like tests.

(1) The Premier has stated that Bill 160 is about smaller classes. Where in the bill is it stated that classes will be smaller? That's zero for that question.

(2) The Premier has stated that Bill 160 is about reforming curriculum. Where in Bill 160 is the section which deals with curriculum? Zero out of two.

(3) The Premier has stated that Bill 160 is about putting teachers back into the classroom by reducing prep time and hiring unqualified individuals. Where in the bill does it state that teachers directly impacted by this policy will be put into the classroom and not dismissed? We do have remedial work.

The answer to these questions is regrettably and painfully obvious. These issues are not in Bill 160. If you do not want to answer me, then surely you must answer someone who put his life on the line for our country.

I wish to address a few personal comments to conclude. Much has been made about education systems in other countries, and I've been very fortunate to have had teaching experience in a variety of countries: Russia, and not just in Moscow, Honduras, Israel, Poland and Northern Ireland. I've had students from those countries come to my school and I've had students from my school go to those countries. Every one of the students who has come to Canada has talked about how great our education system is. They greatly appreciate critical thinking. Critical thinking: That's something that we do.

Much has been made about having or not having, as it were, I suppose, qualified or unqualified individuals in the classroom. Do you know where the very first group of Soviet veterans of the Afghanistan war were on a panel with American veterans of the Vietnam war? Do you where that first took place, the very first meeting, that historical event? It took place in a high school. Those were veterans from the Soviet Union at the time who came to North America specifically to do that.

Chief Buthelezi from South Africa, his last visit to this country was specifically to speak to a group of students. Even the Prime Minister phoned me to make an appointment to see him.

We have people coming in on a regular basis. We have politicians. In fact, Canadian politicians are the hardest to get into the classroom. They don't want to talk to critical thinkers. I invite you, members of the committee. You want to find out what the kids think of this? Come and talk to them. I dare you to come and talk to them and find out what the kids think of this, because if you're not here to do this for the kids, if you're to line your pockets or to benefit business, then you are cheating the future of this country, the future of this province. As an educator, I love my job. I would do it for nothing if I didn't have to pay bills.

You look at me in disgust. Come into the classroom and talk to the kids.

Interjection.

Mr O'Dwyer: Where and when and how much do you charge?

Interjections.

The Chair: Excuse me. Mr O'Dwyer has the floor. Continue, Mr O'Dwyer.

Mr O'Dwyer: I'll now accept questions.

The Chair: Unfortunately, there's precious little time left for questions, Mr O'Dwyer. You have about a minute. If you'd like to use that, I would offer the time for you to use to conclude your presentation.

Mr O'Dwyer: We geared the presentation in order to leave some opportunity for questions and it seems that there are some members who dispute what I've said. If they wish to question me on that, I would be more than pleased to answer their questions.

The Chair: I realize you would, and I'm not suggesting otherwise. I'm saying that the time does not permit an equal amount of questions around this table, so that's why I've offered the time. If you do not wish to use it, then I would thank the three of you for your presentation here today.

1720

NEPEAN CHAMBER OF COMMERCE

The Chair: Our next presenter will be Bob Wilson. Good afternoon. We have allotted 10 minutes for your presentation. Please proceed.

Mr Bob Wilson: In the interest of saving some time, I'm going to paraphrase the first four paragraphs.

As chair of the Nepean Chamber of Commerce representing business in Nepean, thank you for this opportunity. Given the short presentation time, our brief will concentrate on the concepts of Bill 160 and the future of education in Ontario. Specific detail is provided on certain provisions of the bill in the addendum to our report that you have.

The Nepean chamber supports Bill 160 and its efforts to reform the education system. As stated in a previous presentation on Bill 104 — and our views have not changed — it's well beyond time to overhaul and reform drastically the education system in Ontario. The total cost of education — school boards and trustees; curriculum; student achievement, as measured against national and international standards; provisions for teacher collective bargaining and working conditions; and the methods by which the taxpayers of Ontario foot the bill, among others — must be brought under the control of the province. As a small business owner, chair of the Nepean chamber's board of directors, former teacher, teacher union president and negotiator, I also believe it's time for major reform.

At our business awards banquet last week, the recipient of our businessman of the year award had just returned from a business trip to India. In a very poverty-stricken village he visited, he found, because he investigated, that the literacy rate of its people was above 90%. Don't we all wish that same statistic was true for Ontario students, and even those in the rest of Canada?

Technology has brought hundreds of millions of dollars in economic development into this region, yet we face a major shortage of qualified personnel to fill the jobs generated. Why hasn't our education system produced qualified graduates? Examine carefully the forward-looking, high-tech education training students receive in the Far East. Why haven't we produced similar results? Why don't we require or provide similar training and expectations?

The move to a global economy with its free trading blocs has opened major new initiatives and markets for business, but this also means that jobs, due to the growth of technology, can go anywhere. If a company can pay \$35 a month to an assembly line worker in a Third World country, they are not going to pay \$600 a week, plus benefits, to a union worker in Ontario. The death of non-democratic forms of government has introduced more than one billion low-wage workers into the capitalist world, all of whom compete for jobs against workers in Ontario and Canada.

Technology is the driving force in our economy in this region, but what is the loyalty of our present companies? Technology permits offices, and the accompanying jobs, to be opened anywhere in the world. Corel could close its offices here one day and open up in Ireland the next.

The Nepean chamber believes that unions, including teacher unions, don't recognize or accept this reality. Unions would like us to believe that more regulations on employment to limit layoffs, to prevent specialized hiring outside of union skill requirements — and that includes teacher union demands — to boost benefits, to limit corporate restructuring, including education and the determination of instructional group size, are the answers. They are not. All companies have had to restructure in light of current economic realities. Why should teachers believe it should be any different for them?

Education is the future of Ontario. The only real solution to creating a better world for us and our children rests in changing, in a very drastic and fundamental way, the structure of education in Ontario. The only way we can raise our standard of living and eliminate the gap between the rich and the poor is to increase the skill levels of our students to provide them with an edge in the worldwide competition for high-paying jobs. Those who have the highest skill levels will have access to the high-income jobs in the new world economy. Low-skilled jobs will go to those who will work for the lowest salary.

With the sophisticated technology available and the ability of international business to utilize it, jobs will go anywhere business can achieve the best return on investment. We must ensure that our education system provides our graduates with skill levels that match the best in the world to ensure that we can compete for, and keep in Ontario, these high-paying jobs.

This requires leadership and long-term thinking, and major changes in the thinking of vested interest groups. The education agenda must be combined with business requirements. Business partnering with education is not a dirty concept. It doesn't mean that McDonald's will con-

trol our classrooms. We must utilize the very best instructors from the private sector to bring real-world experience and instruction into the classroom. Would we deny the ability and the right of a Terry Matthews of Newbridge to deliver a top-notch business marketing course to students simply because he does not possess teacher certification? Teacher unions and government legislation must recognize this fact.

Business must provide input to education to define the future needs of the workplace, and hence the skill levels of school graduates. Business must further existing partnerships with government and education leaders, from the earliest grade levels, to create a new education system that provides graduates with the skills required for the future work world. We must ensure that our students are cocooned no longer in terms of their ultimate ability to compete in the global economy. Otherwise, Ontario and our students will be shortchanged in their ability to be major stakeholders in the realities of the new millennium.

All this change must be accomplished within new realities, new realities of continuing technological revolution, fiscal responsibility, government reclaiming its role in the policy-setting process and the recognition that our students, regardless of what we would like to believe, really don't measure up in terms of skill levels, as they did 25 to 30 years ago. Thirty years, in terms of today's technology, is a blink in time, and none of us, in the best interests of our students, can afford to blink. Measurable educational achievement standards must be reinstituted, consistently applied and students must be required to meet them prior to graduation. Excellence and scholarship must become standard in our schools. We believe that is what the Ontario government is trying to do with the provisions of Bill 160.

Unions do not set policy, despite what previous governments and the public have permitted them to believe. Our government was elected on its stated platform to set policy and to provide legislation to implement that policy. It's time unions realized this fact. Teachers must realize that they do not have any special entitlement to be protected from restructuring initiatives that have swept the rest of the industrialized world due to economic and technological change.

We believe also that the government of Ontario, beyond its current proposals in Bill 160, should proceed to:

Restrict the ability of teacher unions to hold the economic future of this province to ransom, by vigorously pursuing the enactment of right-to-work legislation.

Implement non-strike provisions for teachers and other essential workers currently enjoying this privilege if the first suggestion is not able to be implemented.

Investigate the structure of education governance in New Brunswick, specifically with its provisions for no boards of education and the use of district superintendents and district councils of stakeholders to set curriculum, among other things, with a view to deciding which of its structural elements might be suitable to Ontario.

Restructure proposed revised boards of education eventually to eliminate them and replace them with an

education councillor elected to the local municipal government. These education councillors could be part of the proposed district councils.

Rigorously pursue alternative forms of education with business that reflect business's ability to provide instructional assistance, funding and increased cooperative education opportunities.

Develop realistic, measurable achievement standards that reflect the needs of the future economy.

Pursue the development of charter schools and enabling legislation.

Eliminate research departments in boards of education and replace them with a directed, structured and accountable division within the Ontario Institute for Studies in Education to design and provide a common curriculum with measurable standards.

Develop, with other provinces, a portable curriculum to enable students and parents to have national standards for curriculum content and achievement.

Thoroughly investigate a process and structure to institute one-level bargaining at the provincial level with one teacher union.

We believe the government of Ontario is on the correct path with its proposals under Bill 160 and must stay that course.

We had a business breakfast last week. It was sold out, limited — I will be very honest with you — to only 55 people because that's what the room would hold and you have an hour and a half to get business people in the morning from 7 o'clock. We hosted that with teacher union representative Doug Carter, who is the local spokesperson here, and the government, through John Baird, our MPP. They were able to present their views on Bill 160. They then submitted themselves to a bear-pit question session. Subsequently, a simple questionnaire was presented at the meeting which asked: "Do you support the provincial government's efforts to reform education through Bill 160? Yes or No?" With final results in, 89.7% supported the government's efforts.

As I indicated previously, specific suggestions to particular portions of the bill are contained in the addendum. Thank you for this opportunity. I appreciate it.

1730

The Chair: Thank you very much for your presentation, Mr Wilson. There's only about 30 seconds left. There's no time for questions. Is there anything you wish to add during that 30 seconds?

Mr Wilson: No. I appreciate the tolerance of the committee.

BOB BONISTEEL

The Chair: Our last presentation for today, Bob Bonisteel. Welcome, sir. Please proceed.

Mr Bob Bonisteel: Thank you. I appreciate the opportunity. Comfort's not a factor at this point.

My name's Bob Bonisteel, as you said. I'm a parent with two children in the public education system. I'm a taxpayer and in my time I've paid a lot of money into the

education system. I've been a teacher in this region for 27 years. It used to be uninterrupted service. At this point you can't say that.

I might also add that I've taken on a bit of a new job as a director of an organization for parents and teachers and taxpayers in Ontario who are interested in school reform.

I had a few preface comments before I got into addressing Bill 160, but sitting here for the last hour and a half, I've decided to change those comments. Someone I think on the panel suggested that you could — what should I say? You suggested that you can estimate the effectiveness of Ontario's education system by looking at the graduates of Waterloo university.

Mr Wildman: No. I was responding to the fact that the presenter had said Corel was having difficulty, and I pointed out that Bill Gates hires the graduating class there. So there are two sides to it.

Mr Bonisteel: Interesting point, but it seems to me that the graduating class of Waterloo university could get educated in the jungle by reading a cereal box. These are the absolute supercream of the crop.

Mr Wildman: That came out of our system.

Mr Bonisteel: When one wants to defend the education system in Ontario, what we tend to do is find the very best examples and say, "See how good we are." When someone wishes to bash the system and the teachers, you find the opposite end of the spectrum and hold them up. That is what we do. I am here today to represent the 85% to 90% of the people who are in the middle, and most unfortunately those people by and large are not well served in this education system.

As a teacher, parent and taxpayer, I'm here in support of Bill 160 because something drastically has to change in this education system. I think the key word there is "drastic." I appreciate those graduates of Waterloo. I've maybe had the pleasure of teaching some of them. They aren't there much because of my effort. I think we have to get a little bit beyond that.

The other thing, sitting here in the past hour and a half, that has struck me is the audacity that anyone would have to mention "democracy" and "teacher union" in the same breath. It boggles my mind that at this point in time, with everything that has happened, anyone who supports what a teacher union is doing right now can accuse any other group of abusing democracy.

Mr Cullen: I can accuse this government of abusing democracy.

Mr Bonisteel: I'm sorry, I didn't hear that.

The Chair: I'm sorry, Mr Cullen. You know the rules. Please. I know it sometimes gets difficult around here, but we try to abide by the rules. Please proceed, sir.

Mr Bonisteel: I will. Thank you.

I've mentioned already that teachers in Ontario are not in their classrooms, they're walking picket lines. Even at this moment, I'm still surprised at the number of teachers who seem to relish that opportunity. They have lived for these confrontations. They are purposely created. It justifies the existence of so-called teacher leaders. That makes my skin crawl.

Most teachers, however, and I really want to emphasize the word "most" — this is fact; this is not speculation on some right-wing wing-nut's perspective — are absolutely sick about this strike. They are absolutely sick to their stomachs. But you know what? They are still out there. I don't want anybody to have any confusion about why they are out there. They are out there because they are dead afraid. They are sick with fear with the retaliation and the ostracization. Is that a word? Yes? Good. It is beyond comprehension that this kind of atmosphere can be perpetrated in our society. I've been here for 27 years and we have never been without it. It's time to stop. That's why I asked to make this presentation.

Another myth: That unions are said to speak for most teachers. They do not speak for most teachers in this province. What they do, though, is control most teachers in this province.

Teachers in Ontario have had their careers dominated by and littered with collective bargaining confrontations. They are incessant. Most of the time it is with a board of education. Our union leaders have told us that these are evil people who are trying to take our money away and our job security away and we must fight them, and fight them we have: a couple of strikes, a couple of work-to-rule campaigns, perpetrated bitterness, anger, and finally, just sort of resignation to the inevitable; whatever happens, happens. Hopefully we can just go back into our classrooms when our leaders say, "This is over now and you can go teach."

During our careers we've been directed by our unions to throw out the NDP government, before this one came along. I remember it so well, how evil these NDP people were: "Get them out of there. We will rise up, don't you know." Before that it was a Liberal government, I believe, that were the evil people on the block and they had to be trashed at all costs: "We must get rid of these people." I know that in my 27 years whichever government preceded that, they were the beast then.

It's interesting. I think the problem has been twofold: teacher unions adamantly opposing any change to the status quo in public education — that's their job — and another one is that all of these successive governments, which have been too weak in the face of a powerful union, have meekly backed down. You might notice also that they also backed out of office soon after they backed down. This has to stop.

There are some assumptions in this particular situation. I think it's assumed that because governments before this one, any government before this one that proposed and implemented some faddish changes in education — and some of them have been really bad and teachers have had to put up with them. Now we have this mindset that says anytime a government is going to suggest a change in education, then it is political interference in education and it must be bad. Those are the mindsets that have been created by preceding governments.

Honest, I'm not a right-wing fanatic. I'm not a political creature. I don't belong to a political party. But I said I'm a teacher, I'm a parent and I'm a taxpayer, and my per-

ception at this moment in time is that this government is different. They've proven that they are different. This government has recognized that it has been elected by people in Ontario to do exactly what it is doing. People are depending on this government to gain control of education. Just as important, they are waiting for this government to control the cost of education.

1740

Another point is that parents and taxpayers are confident, from what they've seen so far, that this government is one with guts enough to stick to its intended course. It appears as though that would be the case.

The changes this government has suggested and implemented so far don't appear to be faddish. As a matter of fact, the changes that have been offered so far have been welcomed by teachers and they've been welcomed by parents; they have not been endorsed by teacher leaders for some reason.

I've got a list of some of the things this government has done so far.

Curriculum: There is a new model for curriculum in Ontario. It's a good one. Teachers who have to teach it say it's a good one. Enough said.

This government says it wants testing, and you like tests — I'm not sarcastic this time — but the testing, I feel, at this point in time, needs to be expanded and it needs to be improved. We need each school to be tested and we need those results posted, published for all to see, so that we can find out which schools are performing and which schools are not performing.

If that were to happen, it would be very nice to throw in a rule that says there are open boundaries. If I find out my son is going to a school down the road that is not performing well, then I want the right, thank you very much, to take my son to a different school. Whatever happened to me controlling where he goes and who teaches him? It's a ridiculous situation when you can't do that.

There's a new report card, with glowing reports from people who matter: the teachers. Congratulations to this government.

Four years in high school: If I could take you through, I think you'd have to spend five years with me as a high school teacher. I would like any parent, any politician, any union leader to look at what a student does in five years of high school. In almost all cases, a student can graduate very nicely in four years — very nicely — and many do, with way more than enough credits according to the present stipulations. A four-year high school program is ideal. I'm not concerned whether that's a cost-saver or not. If it is, then let's take the money that is saved and let's buy new teachers for K to 6. Let's put the money where it belongs.

Interjection.

Mr Bonisteel: Okay, Bud.

Probably the most important thing I wanted to get said as I sat here today was that this fewer boards, fewer bureaucrats mentality is phenomenal. When you get letters from ministers of education and you talk to people who seem to know what they're talking about, you find out that

for the \$14.2 billion that is spent on education in Ontario, 46% of those dollars goes into some big conglomerate board before it ever sees a classroom. That was a statistic I received from a government official. I hate throwing stats around because they are so easily manipulated, but Mr Cullen, I don't care exactly how much, I know that it is twice as much; too much. We have got to do something about reducing the money that goes into board level in Ontario education. We absolutely must stop pouring the money in that direction.

I can't even remember if this government is responsible for the College of Teachers, but I'll tell you, as a teacher, and living the experiences that I've lived as a phys ed teacher, as a guidance counsellor, as a history teacher, as a biology teacher and even English at one point in time, you have to work with an awful lot of people.

Interruption.

Mr Bonisteel: I'm not sure who is screaming at me back there right now, but I have apparently gone on record as saying that I'm not very pleased with the teaching profession in Ontario, and that is a huge mistake. Teachers are absolutely phenomenal. I said to a media person at one point that I think there are some bad ones, though; not very many, but there are some bad ones. It was no big deal because there are bad lawyers, there are bad doctors, there are bad engineers, but I don't care about those. I can choose a different doctor and I can choose a different engineer, if I needed one, but I sure as hell can't choose a different teacher. A bad teacher is a perpetuating, destructive force in our society. We can't afford them. So hurrray for the College of Teachers, I said. Whoever brought it in, good for you.

But then you know what happened: This so-called organization, which seems to use the word "democracy" this month because it's a cute one for them, decided that they would throw out a slate of candidates, run a campaign for them in the most undemocratic fashion, and proceeded to elect all 17 elected positions in — I hesitate to use the word that I'm thinking of using, so I won't, but it certainly isn't a democratic process.

I have a very good friend who is now an appointed member of the College of Teachers. This person is one of the governors of the College of Teachers and I have it now at first hand that the College of Teachers is not a professional organization representing teachers in this province. It has thrown away its mandate to do that, and until things get changed on a legislative basis, it is not going to be a factor in improving education in Ontario, and that is most unfortunate. Anyway, I appreciate this government trying to put in the College of Teachers. That's another positive step that you are responsible for.

I'm sorry, how much time do I have?

The Chair: Fifteen minutes.

Mr Wildman: Oh, this is one of the half-hour presentations.

Mr Wettlaufer: Just like you, Bud.

Mr Bonisteel: There seems to be some dissension about that.

Mr Wildman: No, no, go ahead. I'm sorry, we didn't realize —

The Chair: Mr Bonisteel, it's just been a long day. There's no dissension. You have 15 minutes left of your presentation.

Mr Bonisteel: I was just talking at the back with some people who I don't think agree with me very much, but we all agreed on something, and that is that this is an incredibly long day for you people. However, I don't expect to be taking the rest of my 15 minutes.

Interjection.

Mr Bonisteel: Okay, however long.

The length of the school year: Many parents and teachers have found Ontario's short school year rather embarrassing when it is compared to situations in other provinces and other countries.

Interjections.

Mr Bonisteel: I'm a teacher. I never speak in my classes when some kids are speaking.

It almost seems like we're saying, "Ontario kids do worse than most on a national and international test, so why don't we just shorten the school year and give them less time with their teachers?" Lengthening the school year slightly at all grade levels will bring us more into line with other systems so we don't have to suffer that embarrassment any more, and hopefully, it might help students learn a little bit more.

This prep time issue, I gather, is a huge one. As a high school teacher, I am allowed 165 hits each year — a hit is a kid, so I get 165 of those — and absolutely no more than that. The collective bargaining agreement says not more than 165. If we get 166, we have to change some people around. Bill 160 means that I might move up to 190 hits or so. I really like hits. However, I have to say that I don't think personally, as a teacher, I am going to be a better teacher because of 190 hits, and I don't think those 190 students are going to be better served from an educational standpoint. So I expect that over time also, my effectiveness as a child-centred educator is probably going to be diminished. I'm a little concerned about that aspect of Bill 160.

I'm not suggesting at this point that the government back down on anything. I have a few reservations in an area or two of Bill 160 and I've suggested that maybe we could all back away from it a bit, reconsider some, get some people to sit down at a table and really look at what this might do. If it's so incredibly controversial, why don't we make a change here? We can make some other changes to deal with it later, but for now, the prep time thing is not going to make for better education, not the way it reads in Bill 160.

Non-certified teachers: There are an interesting couple of points here and real ironies, I think, as you listen to the howls of discontent from the critics of this part of the bill. I want to point out that in Ontario we offer, I think, as many as four co-op education credits per graduating student if they choose to exercise that option. I think it's a great part of getting 30 credits to graduate from high school. Technically these credits are "taught," or maybe

just monitored, by workplace officials who have never been near a teachers' college. I know that these onsite co-op teachers are a most valuable part of the education process and it seems to me there probably are many, many others that we could take advantage of if we had a chance to.

Another irony here is this one year at teachers' college. I'm going to start by saying I loved my year at teachers' college. I had a great time, I really did. I think I learned a lot and I got great marks. It was an extremely valuable year for me, but I think the onus was on me to make it valuable. However, if you talk to many, many teachers in this province in casual conversation, they will tell you that year was essentially a waste of time. It seems somehow, some way, to be a cool thing to say, "We partied; we messed around; I waited for some significant contribution to my educational experience," and they will tell you, by and large, that never really developed.

At this moment, with Bill 160 and the controversy of non-certified teachers, how is it that suddenly only that one year is the big divider? I'm not suggesting that I want non-certified teachers in all areas. I don't want a law to say that we will have non-certified teachers in these disciplines in all situations. Don't forget, I'm a phys ed teacher, and I have been a guidance counsellor — gone, if that were to happen. I don't suggest the bill is going to allow for that, but there is an incredible wealth of talent in our society, an unbelievable amount of knowledge. In combination with that knowledge, I think it is the responsibility of the school, when it's necessary and when it's possible, to locate some of that so-called non-certified talent and employ it. It would be wonderful if we could, but I can't see any government or any individual school using this part of the bill to undermine the integrity of a certified teacher. I can't see it happening.

Class size: In spite of some unusual research to the contrary — I wrote that part. It's funny, when you read this stuff you see there are people who are finding out that it doesn't matter how big classes are; it matters more about the enthusiasm of the instruction; it matters more about the commonality of the people in the class, and learning will happen. But there is no question, and don't anybody fall for the notion that smaller class size does not bring about better education. It just does. We need smaller classes.

From my perspective, watching collective bargaining happen over the years, boards of education and teacher unions have abused their opportunity to control class size. They've abused it. It's time for somebody to take control of the notion and put it in the right place. This government has to do that. I don't think any government with a conscience is going to increase class size. The very suggestion is not warranted.

School councils are more than just necessary. I have purposely left out the word "advisory." I think we have to advance, we have to evolve to the point where school councils have some bite. We need them to have teeth. I'm hoping that section of Bill 160 will give these people — these are parents, these are teachers and administrators, these could be business people, but certainly they will all

be people who have a direct ownership into their own personal site. They will make responsible decisions for their school and they need to have their decisions mean more.

I like this idea of uniform education property tax rates and the education funding formula. This is probably the key in Bill 160. We need to have a pricetag on each student's head. We need this. It has been done in an unfair manner across this province for too long. Everyone needs to know how much it costs to educate each one of our students, and when this number is discovered, we can then move along to the next step.

I like that idea of moving along to the next step. I'm calling Bill 160 a gateway to more change. Bill 160 is an opportunity to build and I'm certainly hoping that whoever finds themselves in a position to build on Bill 160 can do it.

For reasons that I've already stated, I believe it is mandatory that this government take control of education. This really, really evil situation that we have right now simply underscores the fact that change is desperately needed. We cannot have this ever again, not ever again. As a parent, a teacher and a taxpayer, I am going to make sure it never happens again. I am going to have join with me hundreds — no, thousands — of fellow teachers, fellow parents and fellow taxpayers and we are going to make sure this never happens again.

I have one other thing to say to the government officials, and that is, I've said already that there are so many people in Ontario who are almost demanding that you stay the course here. You've been good at this so far. It is so important that you stay the course. But when you stay the course and when this thing is over and you have the control that is necessary for any government to have, then —

Interruption.

Mr Bonisteel: My goodness, can you believe that? Yeah, I can believe it. After the last three days, I can believe it.

This government is going to have to see what it can do to pass this control downwards. You must bypass the unions with this control, you've got to bypass the boards of education with this control, and you have to put it into the hands of the teachers and the parents at each individual site. You have to make sure they have control over how their kids get education, and not only that, but where their kids get educated.

I'm also very much in favour of far more education dollars going to those schools as well. We want to see the money in the schools, not inside the walls of a board of education. I think if that happens, we can probably hire a lot more teachers and buy a lot fewer cube vans.

The Chair: Thank you very much, sir. Basically our time has elapsed for this evening. I know there are many questions that members would like to have asked but there is not time.

I thank the committee very much and the members of the audience for their cooperation today. We are adjourned.

The committee adjourned at 1800.

CONTENTS

Wednesday 29 October 1997

Education Quality Improvement Act, Bill 160, Mr David Johnson /	
Loi de 1997 sur l'amélioration de la qualité de l'éducation,	
projet de loi 160, M. David Johnson.....	J-2743
Association française des conseils scolaires de l'Ontario.....	J-2747
M. Daniel Morin	
Association des enseignantes et des enseignants de l'Ontario	J-2751
M ^{me} Diane Chénier	
M. Guy Matte	
Coalition for Public Education	J-2754
Mr John Crump	
Ms Linda Dansky	J-2756
Ms Kirsten Kozolanka.....	J-2757
Indigenous Education Coalition	J-2759
Mr John Peters	
Carleton Assembly of School Councils	J-2764
Mrs Carol Nixon	
Ms Elaine Richards	J-2765
Mr Ken Slemko.....	J-2767
Teachers' Federation of Carleton	J-2769
Mr Doug Carter	
Joint Council of Ottawa Board of Education Elementary and Secondary	
School Advisory Committees	J-2770
Mr Stan Currie	
Ottawa-Carleton Board of Trade	J-2772
Mr Willy Bagnell	
Ontario Secondary School Teachers' Federation	J-2774
Mr Larry Capstick	
Ontario Secondary School Teachers' Federation, Frontenac, District 20.....	J-2776
Ms Joan Jardin	
Mr Rich Phillips	
Ontario Federation of Independent Schools	J-2777
Ms Elaine Hopkins	
Stormont, Dundas and Glengarry Ontario Teachers' Federation affiliates	J-2779
Mr Greg McGillis	
Mr John McEwen	
Fédération des associations de parents francophones de l'Ontario.....	J-2780
M ^{me} Francesca Piredda	
Mr Qasem Mahmud	J-2782
Ontario English Catholic Teachers' Association	J-2783
Mrs Ariane Carriere	
Mr John McEwen	

Continued overleaf

Continued from overleaf

Association des enseignantes et des enseignants franco-ontariens de l'Ontario, Ottawa-Carleton	J-2785
M ^{me} Claudette Boyer	
M. Henri Nadeau	
Mr Paul Fitzgerald	J-2786
Women Teachers' Association of Ottawa	J-2788
Ms Lisa Falls	
Ms Gretta Bradley	
Gary, Kelly and Daniel O'Dwyer	J-2790
Nepean Chamber of Commerce	J-2791
Mr Bob Wilson	
Mr Bob Bonisteel	J-2793

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Marcel Beaubien (Lambton PC)
Mr Bernard Grandmaître (Ottawa East / -Est L)
Mrs Lyn McLeod (Fort William L)
Mr Frank Sheehan (Lincoln PC)
Mr Bruce Smith (Middlesex PC)
Mr Wayne Wettlaufer (Kitchener PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Mr Alex Cullen (Ottawa West / -Ouest L)
Mr Jean-Marc Lalonde (Prescott and Russell / Prescott et Russell L)
Mr Wayne Lessard (Windsor-Riverside ND)
Mr Gilles E. Morin (Carleton East / -Est L)
Mr Richard Patten (Ottawa Centre / -Centre L)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Ted Glenn, research officer, Legislative Research Service

C-120M
XC-14
577



J-81

J-81

ISSN 1180-4343

Legislative Assembly of Ontario

First Session, 36th Parliament

Assemblée législative de l'Ontario

Première session, 36^e législature

Official Report of Debates (Hansard)

Monday 17 November 1997

Journal des débats (Hansard)

Lundi 17 novembre 1997

**Standing committee on
administration of justice**

**Education Quality
Improvement Act, 1997**

**Comité permanent de
l'administration de la justice**

**Loi de 1997 sur l'amélioration
de la qualité de l'éducation**

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICECOMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Monday 17 November 1997

Lundi 17 novembre 1997

*The committee met at 1624 in committee room 228.*EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good afternoon, ladies and gentlemen and members of the committee. We are commencing clause-by-clause consideration of Bill 160, An Act to reform the education system, pursuant to an order of the House passed Monday, October 6, 1997. I will not read the whole of the order, however, I will read the applicable part today:

"That the committee shall further be authorized to meet for clause-by-clause consideration of the bill after routine proceedings until 6 pm, and from 7 pm to 9:30 pm, on the first regularly scheduled meeting day of the committee following the tabling of the proposed amendments."

We are therefore sitting from now until 6, and then we will return from 7 to 9:30 am.

Interjection: It's pm.

The Chair: Sorry, pm. I'm getting ahead of myself; that might be Tuesday.

I should mention that I am still the Chair of the justice committee. I have received a new appointment; however, I have not been sworn in as parliamentary assistant to the Attorney General nor have I taken part in any briefings by the Attorney General. I will continue with the committee for today and tomorrow as the Chair.

I will now ask the standard question: Are there are comments, questions or amendments to any section of the bill and, if so, to which section?

Mrs Lyn McLeod (Fort William): Mr Chair, is it your intention to work through the amendments in the order they have been presented?

The Chair: Yes. We would start off with the next amendment. I thought there might be some general discussion, but we are working under time allocation.

Mrs McLeod: For exactly that reason, I'll certainly forgo any general comments. I'd like to get to the substance of the fairly significant amendments.

The Chair: Excellent. Thank you, Mrs McLeod. If there are no general comments we will proceed to an amendment. If I may, just for a matter of convenience, I'll refer to it as item 1, being a motion of the opposition to amend Bill 160.

Mrs McLeod: The motion is that section 1 of the bill be amended by adding the following. I'm sorry, I'm thrown off by the introduction of another amendment in my binder.

"The Education Act is amended by the following section:

"Purpose

"0.1 The purpose of this act to achieve quality and excellence in education in Ontario" —

The Chair: Excuse me, that is not the item 1 I have.

Mrs McLeod: I'm sorry, Mr Chairman, my ordering is quite different.

The Chair: There are compiled copies down there so that we're all speaking from the same hymn book, so to speak. If members do not have them, I would suggest you get them.

Mrs McLeod: Just so that I'm clear, are we dealing with them in the order in which they've been tabled as opposed to the order in which they deal with the bill? We're not working our way consistently through the bill?

The Chair: We are dealing in the order that they should appear in the bill, notwithstanding any time of filing, and that is a general one so I take it that's why the clerk exercised discretion in putting that first.

Mrs McLeod: I move that the provisions of the Education Act, as set out in the bill be amended by:

(a) striking out "board member," "member of a board" and "member of the board" wherever those expressions occur and substituting in each case "trustee";

(b) striking out "board members," "members of a board" and "members of the board" wherever those expressions occur and substituting in each case "trustees";

(c) striking out "members for the Protestant separate school board" wherever that expression occurs and substituting in each case "trustees for the Protestant separate school board."

We've presented this motion with some concern about what the government's intention is in moving away from the term "trustee," which has traditionally described elected members of a school board, and using the term "board member." It may seem like a small point. I won't speak to it at length, but it does raise concern about the government's belief in the role of school trustees. Those who have been school trustees believe that they are indeed entrusted with the education of the students in their community and the term "trustee" is valued by them because it does define their role. At a time when the government is seriously limiting the role of the school trustee, it seems to further that agenda by substituting the traditional term "trustee" with "board member," and that's why we've proposed this amendment.

Mr Bud Wildman (Algoma): I just wanted to speak very briefly in support of Mrs McLeod's amendment. The reason the word "trustee" is important is because it signifies that the education of our children is entrusted to these people who are elected to deal with education. I think it's important that it be reinserted into this legislation because it would indicate that, unlike the Premier, the members of this committee trust the members of school boards to care about the quality of education and the needs of our children. We do not subscribe to the philosophy that the Premier expressed when he said that trustees and teachers could not be trusted to properly manage the education system and care for the needs of our children. For those reasons I support the amendment of Mrs McLeod.

1630

Mr Bruce Smith (Middlesex): Thank you for the opportunity to speak to this particular motion. Certainly there is some validity to the viewpoint that Mrs McLeod has raised. It is our experience that "board member" and "trustee" have typically been interchanged throughout the act. The objective within Bill 160 is to bring some consistency to the application of that term. For that reason the government will not be supporting this Liberal motion. There is nothing precluding the continued use of "trustee" as indicated by the Catholic trustee association, which very clearly indicated the historical relevance of that particular term. The government will not be supporting this particular motion.

The Chair: Is there further discussion regarding the amendment proposed by Mrs McLeod? If not, all those in favour of the amendment? All those against? The amendment fails.

Mr Wildman, there is some real doubt as to the order of item 2. You might first of all want to deal with the procedural —

Mr Wildman: Perhaps I could move the motion and then we could deal with the question as to whether or not it's in order.

The Chair: Fine, thank you.

Mr Wildman: I move that the committee recommend that the bill be split into three pieces of legislation, thereby giving the government time to thoroughly consider the ramifications of the legislation and respond to the needs raised by the public. I'm just looking for the exact wording here and I don't seem to have it. Does the clerk have it? Thank you.

I move that Bill 160 be divided into three separate bills as follows:

1. The first bill shall contain sections 1 to 79, 128 to 140 of part I of Bill 160, and parts II and III of Bill 160.

2. The second bill shall contain sections 80 to 112 and sections 114 to 127 of part I of Bill 160.

3. The third bill shall contain section 113 of Bill 160.

If you want to deal with the question of whether it's in order, I'd like to speak to the motion, Chair, if I could.

The Chair: Please proceed, Mr Wildman.

Mr Wildman: As I said, the purpose of this motion is to split the bill into three pieces of legislation to give the government to thoroughly consider the ramifications of its legislation and the views of the public and to deal with those concerns. We believe the bill should not be moved hastily through the Legislature. This is shown by the significant number of government amendments that have been put. Obviously this is a poorly drafted bill, or it wouldn't need so many amendments. This would give the government time to reconsider the legislation that is not proceeded with immediately.

What we're proposing to do is that the changes related to the amalgamation of school boards and the transitional issues that must be dealt with according to the government before January 1 in order to fully implement Bill 104 on the establishment of district boards could go forward. That would be the first piece of legislation.

The second, matters related to collective bargaining, could be allowed to be dealt with later after more discussion with teachers, teachers' federations, parents, trustees and others, so that we could properly respond to the collective bargaining concerns in a more rationale way.

The third bill would deal with the educational finance issues, which frankly should be held off until we have the funding formula. It doesn't make sense that we would proceed on these matters without knowing what the funding formula is.

This is put forward, I hope the government members understand, in a spirit of goodwill, assistance and compromise to assist the government to deal with this in a rational manner. We will be able, if this is ruled in order and is accepted by the committee, to recommend to the Legislature that the government could proceed with the amalgamation of school boards, the establishment of the new boards by January; it could deal with the very contentious regulatory aspects of the bill, the matters related to collective bargaining through consultation over the winter and proceed then I suppose in the spring; and it could deal with the financing matters after everyone has seen the funding formula and we are able to have input into the funding that is allowed.

This is proposed in a very serious way of trying to respond to a very controversial number of issues that have been raised by Bill 160, which is really omnibus legislation, puts it together in digestible bites and allows us to proceed in a serious and responsible way. I commend the amendment to the members of the committee.

The Chair: Is there anyone who wishes to address whether or not this particular motion is in order, first? If not, I will deal with that after discussing the matter with the clerk.

Mrs McLeod: Then at what point is there further debate on the motion, Mr Chairman?

The Chair: There may not be any if my ruling is that it is out of order.

Mrs McLeod: Then given the fact that the presenter of the motion was able to speak on it, can we have some —

The Chair: He spoke, I believe, as to whether it was in order or not.

Mr Wildman: I was attempting to.

The Chair: There were some extraneous matters that I permitted. If you wish to address whether it is in order or not, please do so. I won't be restrictive in that discussion.

Mrs McLeod: I suspect that your ruling will be that it's not in order, but I suspect that it would also have been possible at any point in time to have this motion acted upon. In fact, the motion was presented to our committee on a number of occasions, could have been acted on by the committee, was defeated each time by the government members of the committee, as you will be aware. Even though we are very much aware that there are parts of this bill which the government needs in a given time line, quite clearly Mr Wildman's motion is to facilitate the progress on those parts of the bill which the government needs by January 1 and to allow for some further debate and discussion on the parts of the bill which are truly contentious. However, since similar motions were defeated regularly at committee when they were presented both by Mr Wildman and myself, I suspect you will be ruling that this is not in order, and I regret that fact.

The Chair: If I may make my ruling then, the motion proposed by the member for Algoma would have Bill 160 divided into three separate bills. Considering legitimacy of the proposal, the Chair must base the decision on the precedence of British parliamentary tradition.

Erskine May's Parliamentary Practice, 21st edition, states the following on page 483 under the heading "Admissible Instructions": "Division of bill. An instruction is required to enable a committee to divide a bill into two or more bills, but such instruction is in order only if the bill is drafted in two or more distinct parts, or otherwise lends itself to such division into parts."

Neither in the committee's time allocation order of Monday, October 6, 1997, nor in any subsequent order in the House, has this committee been given an instruction that would authorize the division of Bill 160 into separate bills. Failing such instruction from the House, I must rule the motion made by Mr Wildman out of order.

Item 2 is therefore out of order and we will move to an opposition motion dealing with a new section, being item 3.

Mrs McLeod: I move that the bill be amended by adding the following section:

"0.1 The Education Act is amended by adding the following section:

"Purpose

"0.1 The purpose of this act is to achieve quality and excellence in education in Ontario through a partnership between pupils, parents, teachers, boards and government with this as its goal and through the participation of members of the public in decisions affecting education."

There is a noticeable lack of a purpose clause in this bill. I thought it was interesting that when the Minister of Education was asked in the House today where the term "quality" appears anywhere in the bill, he referred only to the title of the bill, which I guess is the only place in which the minister could find any reference to quality at all. It's our belief that if a bill is supposedly to speak to the quality of education, then at the very least, even if the entire context of the bill is subversive of quality of education, there should be a statement of purpose which carries the title of the bill into the stated goals the bill is to achieve.

1640

We have worded a purpose clause in this amendment which reflects what we believe to be the purpose of an act, should be the purpose of an act which would be focused on achieving quality and excellence in education, and that makes the purpose the achievement of a true partnership between pupils, parents, teachers, boards and government and the participation of members of the public in decisions affecting education.

I'm not optimistic that my amendment will be supported, even though I think it is regrettable that the only reference to quality of education is in the title of this bill and nothing further in the context of the bill refers to or supports quality in any way. But I recognize the fact that if the government members were to accept my amendment, then they would have to make significant amendments in the bill because the bill, throughout almost every aspect of it, destroys any effective partnership between the participants and the system. So my purpose clause indeed would be at odds with the balance of the bill. I recognize that, but I think it's important that somebody at least talk about having some reference to quality of education in the context of this bill.

Mr Wildman: I guess it goes without saying that this bill, although entitled as a bill to deal with quality of education or to make improvements consistent with the government's agenda, which they say is an agenda for quality education, doesn't have anything in it that deals with quality of education.

My leader, in question period today, pointed out that in a scan of the bill, going through the bill, you cannot find the words "quality of education" anywhere in this legislation. You can find references to "money" and "finance" 69 times in the legislation, but nowhere do you find

"quality education." When the minister was responding to my leader's question, he only referred to the title of the bill because that's the only place you can find the words "quality" and "education" together.

I support my friend from Fort William's amendment. I hope that the government members will support it, but I do so with the caveat that we're going to have to change a lot more about this bill than put a purpose motion in it, and I'm sure my friend from Fort William agrees with me. If it's really going to deal with quality of education, just putting the purpose clause in here is not going to change the transfer of power, the centralization, the lack of local accountability that goes part and parcel with the changes the government is proposing in this legislation.

So I support the amendment, I hope the members of the government will also, but I hope that is a precursor then, if they do, of the fact that they will agree to a lot more amendments put forward by my friend from Fort William and myself that will in fact direct this legislation to deal with what it purports to deal with, and that is the quality of education for students in Ontario.

Mr Smith: I must admit I do find the wording somewhat ambiguous, although I understand the direction that Mrs McLeod is attempting to pursue here. Certainly, it would be my viewpoint that the title of the bill already clearly states the purpose of Bill 160 and I think, unlike my opposition colleagues, that there is a more positive perspective on this in that Bill 160 does enable us to pursue renewed partnerships within the education community. From that perspective, I feel strongly that the bill clearly indicates the directions in which the government is intending to go, and for that reason we'll be voting in opposition to the Liberal motion.

The Chair: Is there any further discussion on Mrs McLeod's motion?

Mrs McLeod: Mr Chairman, can I ask the parliamentary assistant exactly what parts of the act contribute to a fuller partnership between the participants in the system?

The Chair: It's a proper question.

Mr Smith: I think we've had on a number of occasions, Mr McLeod, the opportunity to debate this issue. We've clearly revisited the issues of roles and trustees. We've clearly revisited the issue of parental involvement in the school system, and certainly teaching professionals have to be part of that process. All of those individuals — professionals, parents, students — are addressed in the context of Bill 160. That's the nature for my comment with respect to the renewal of those partnerships and the opportunity to move ahead into the future.

Mrs McLeod: But in fact it's individuals who are participants. It does not create partnerships between them.

Mr Smith: That's simply your viewpoint.

The Chair: Is there any further discussion in regard to the opposition motion to amend, creating a new section 0.1? If not, I'll call the vote. All those in favour of the amendment? All those against? The amendment fails.

We're dealing with section 1 at present, item 4.

Mr Wildman: I move that the definition of "permanent improvement" in subsection 1(1) of the Education Act, as

set out in subsection 1(1) of the bill, be amended by adding the following clause:

"(j) a child care facility on a school site and any addition, alteration or improvement to such a facility."

The government appears to be attempting to remove any possibility of developing child care facilities within school settings. This is a terrible step backwards. A government that introduced a bill today which purports to assist parents with child care should in fact be in favour of this amendment because this will make it possible and ensure that any child care facilities that are now part of schools will be included in the definition of "permanent improvement" in the Education Act, and will be maintained. If the members of the government party here are in support of the proposal that was put forward by the Minister of Labour today, I expect they will support this amendment because they are in favour of child care.

Mr Smith: The government will be speaking against this particular motion. It is not the position of the Minister of Education to force school boards to close or remove child care services from their schools. In fact, we are encouraging that partnerships with community organizations and other independent operators continue to be pursued. This is an issue where we feel education dollars are directed toward education, and from that perspective we'll not be supporting the NDP motion.

Mr Wildman: Could the parliamentary assistant, if it's in order, clarify why it is, if the government wants to encourage child care facilities in schools, they would be opposed to this amendment?

Mr Smith: I think I provided an overview of the government's position, Mr Wildman, with respect to this particular motion. The Education Act will continue to permit boards to have child care centres in their schools, leasing available space, as I indicated to you, to independent or community organizations; that would be made available. Once again, we're not forcing school boards to remove themselves from child care services in this particular case, but as I indicated, we will not be supporting the intention and direction of the motion.

Mrs McLeod: I'm already debating how much time it's worth spending on some of these. This is one of the aspects of an omnibus bill that presenters to the committee given 10 minutes to make their presentations had no opportunity to address; that is, the various provisions of this bill that will make it virtually impossible for school boards to get the capital allocation or the capital resources to provide for child care facilities in their school. The suggestion that the parliamentary assistant makes is that somehow there is going to be a continued partnership with independent providers of child care when the physical space will not be made available, or if it is, will only be made available at the expense of classroom space for kindergarten to grade 9 students. It just flies in the face of the balance of this bill because it is an omnibus bill. Even an issue as important as the provision of child care and the reversal of a policy which would have seen child care facilities provided for in every new school in the province

can't be fully debated and the government is simply going to refuse to acknowledge the issue.

1650

The Chair: Is there any further discussion in regard to the proposed amendment by Mr Wildman? If not, I'll call the question: All those in favour? All those against? The amendment fails.

We are moving on. Item 5.

Mr Wildman: I move that subsection 1(4) of the bill be struck out and the following substituted:

"Occasional teacher

"(1.1) For the purposes of this act, "occasional teacher" means an occasional teacher as defined in subsection 1(1) the Education Act as it reads immediately before this section comes into force.

"Same

"(1.12) Subsection (1.1) is repealed on September 1, 2000."

The purpose of this is to revert to the old definition of an occasional teacher. What this government is attempting to do under this bill is to make it possible for a board to fill a temporarily vacant position with an occasional teacher for up to two years after the original teacher has vacated the position. That seems completely unacceptable in terms of treating people fairly. If a person is going to fill a position for up to two years, they should no longer be an occasional teacher. If you are teaching every day for two years, that's hardly occasional. So we want to revert to the old definition and ensure that people are treated fairly under the legislation.

Mr Smith: Once again, I'll be speaking in opposition to the NDP motion. Bill 160 does provide a revised definition for occasional teachers, which has been a long-standing issue raised by school boards. In some cases, it has been requested by boards to allow the same teacher to be used in the spring of one school year and the fall of the next, when a permanent teacher may be on, for example, maternity leave. We believe a government amendment provides that occasional teachers will be represented by teachers' affiliates at a later point in the deliberations of these matters, but certainly provided with a separate bargaining unit which would take effect in 1998. We feel it's important to move ahead and not retain the current definition as indicated in the NDP motion.

The Chair: Is there any further discussion in regard to the proposed amendment. If not, I'll call the question: All those in favour? All those against? The motion fails.

We are proceeding to item 6.

Mr Smith: I move that section 1 of the bill be amended by adding the following subsection:

"(4.1) Section 1 of the act, as amended by the Statutes of Ontario, 1992, chapter 16, section 1, 1993, chapter 11, section 8, 1993, chapter 23, section 67, 1996, chapter 12, section 64, 1996, chapter 32, section 70, 1997, chapter 3, section 2 and 1997, chapter 22, section 1, is further amended by adding the following subsection:

"4.1 Every authority given by this act, including but not limited to every authority to make a regulation, decision or order and every authority to issue a directive or guideline,

shall be exercised in a manner consistent with and respectful of the rights and privileges guaranteed by section 93 of the Constitution Act, 1867 and by section 23 of the Canadian Charter of Rights and Freedoms."

Essentially, this proposed amendment protects the rights of separate schools and French-language schools to operate within the guaranteed rights and privileges provided to them and ensures that powers will be used in a way that respects section 93 of the Constitution and section 23 of the Charter of Rights and Freedoms. To some extent, it as well assists with respect to compliance to both of those particular items.

Mrs McLeod: I can't believe that the government feels that this clause somehow may relieve the government of constitutional challenges which are already going to be forthcoming if this act is passed. You've already had a judge comment on the constitutionality of the act. You know that the francophone trustees have made it very clear that this entire act, in their view, is a violation of their rights and privileges under the Charter of Rights and Freedoms. You know that there are other constitutional challenges that are going to be launched. Surely you don't believe, Mr Smith, that this very ambiguous clause provides any legal protection for the government in bringing in an act which violates the constitutional rights of either individuals or groups.

I wonder, Mr Smith, if you feel that this is a sufficient answer from the government that you don't need to seek a court referral to determine whether the balance of your bill is indeed constitutional, so we're not forced as a Legislature into dealing with legislation which will not pass the constitutional test.

Mr Wildman: With all due respect, this is pathetic. Surely every piece of legislation that is administered by a government in Ontario will comply with the Constitution. We don't have to put that in legislation. I think the fact that we have an amendment before this committee in which the government is telling everybody that by putting it in legislation they're going to abide by the Constitution shows how far they've sunk. This bill has so little credibility that the vast majority or a significant portion of the population believes that it may in fact be unconstitutional and so the government comes along and says, "Oh well, these powers will be exercised in a manner consistent and respectful of the rights and privileges guaranteed by section 93 of the Constitution Act of 1867 and by section 23 of the Canadian Charter of Rights and Freedoms." Surely that goes without saying.

The fact that you have to put it in here is an indication that there are serious problems with this legislation, that in fact it may violate the charter and it may violate the Constitution and it may in fact be found ultra vires in a court challenge. If that's the case, you should be amending the legislation so that it complies with section 23 of the charter and section 93 of the Constitution Act, not putting this little motherhood statement in here. This really is pathetic.

Applause.

The Chair: I would remind the audience that the rules of the House do not permit applause or demonstrations in

the audience. If it continues, I will have to adjourn. I do not wish to do that because that would detract from the opposition's rights to place on the record their views and debate this bill. So I'd ask you to refrain.

Mr Bruce Crozier (Essex South): Just very briefly, I would go one step further than the third party in saying that if you are concerned about the rights and privileges guaranteed by section 93 of the Constitution Act, 1867, and by section 23 of the Canadian Charter of Rights and Freedoms, you could just simply withdraw the bill, I think would be the best move.

Applause.

The Chair: There will be a five-minute adjournment.

The committee recessed from 1658 to 1704.

The Chair: We shall reconvene. I'd remind the audience that unfortunately, because of the time allocation, my remedy of adjourning the matter only hurts the opposition and deprives them of their opportunity to present arguments against the bill, and I'm very reluctant to adjourn on that basis. However, if that is my remedy, I will exercise it very reluctantly.

We are now dealing with Mr Smith's motion. Mr Crozier, were you about to speak to it?

Mr Crozier: No, but I will if you want me to.

The Chair: No. Is there any further discussion in regard to Mr Smith's motion? If not, all those in favour of the motion? All those against? The amendment is carried.

I'll now put the question. First of all, is there any discussion in regard to section 1, as amended? Shall section 1, as amended, carry? Against? It is carried.

I'm suggesting, unless there's an objection, that I group sections 2 to 5. Is there any objection from any member of the committee? If not, is there any discussions in regard to sections 2 to 5 inclusive? If not, shall sections 2 to 5, inclusive, carry? All those in favour? Against? They are carried.

We are now dealing with section 6, item 7.

Mr Smith: I move that section 6 of the bill be amended by adding the following subsection:

"(1.1) Subsection 8(1) of the act, as amended by the Statutes of Ontario, 1991, chapter 10, section 1, 1992, chapter 16, section 2, 1992, chapter 27, section 59, 1993, chapter 11, section 10, 1995, chapter 4, section 2, 1996, chapter 11, section 29, 1996, chapter 12, section 64, 1996, chapter 13, section 1 and 1997, chapter 16, section 5, is further amended by adding the following paragraphs:

"policies and guidelines: policies re pupil representatives

"3.5 establish policies and guidelines for the development and implementation of board policies dealing with the representation on boards of the interests of pupils and require boards to comply with the policies and guidelines;

"policies and guidelines: policies re electronic meetings

"3.6 establish policies and guidelines for the development and implementation of district school board policies dealing with the use of electronic means for the holding of meetings of a district school board and meetings of a committee of a district school board, including a com-

mittee of the whole board, and require district school boards to comply with the policies and guidelines."

Effectively, this particular motion adds minister's power to establish guidelines and policies so that school boards can then develop policies on pupil representatives in electronic meetings and in part relates to items 58 and 22 whereby there's a greater extent of local flexibility in terms of providing input with respect to the directions of the policies and guideline procedure.

1710

Mrs McLeod: This is one of the amendments that I think requires some further explanation from the parliamentary assistant on specifically what it does. The basic clause that was in the bill was to "establish policies and guidelines respecting the roles and responsibilities of board members, directors of education, supervisory officers, principals, superintendents and other officials."

Paragraph 3.5, the addition, and the way in which it's worded I find very difficult to interpret, so help me with this, Mr Smith. Are you saying that this additional power of the minister is to establish policies regarding pupil representatives on the board? That will be established by regulation and what you are requiring boards to comply with is the policies and procedures that set out the way in which students are going to be appointed to boards. Is that specifically what this clause deals with?

Mr Smith: As I indicated, it allows for the establishment of the policy and guidelines, but it is tied to the local flexibility where boards would be involved in that process as well through motions 58 and 22, which will be considered obviously at a later point.

Mrs McLeod: It's one of the problems again with dealing with omnibus legislation because this issue of student representation is an issue which we have been raising since Bill 104 and we still don't have specifics. We still don't know how it is that the government intends to deal with the issue of student representation on boards and we don't know what it is that boards are now going to be required to comply with. It makes you very nervous about simply extending powers of the minister when it's how many months later since we raised this issue under Bill 104 and we still have no specific directions from the government as to how they're going to do it.

I want to raise a further concern under 3.6, and that is establishing policies and guidelines for the development and implementation of district school board policies dealing with the use of electronic means, da-da da-da. It seems to me that this is another spinoff from Bill 104 and the amalgamation of school boards and the creation of boards that are geographically so large that it will be virtually impossible for school trustees to meet on a regular basis.

Therefore, if the government's creative suggestion was that rather than trustees actually meeting — I guess they are board members now because we lost the amendment that would call them trustees. So rather than board members actually meeting physically together to discuss the issues of education and they can get together by some electronic means, Mr Smith, I continue to believe that those school board boundaries are too large to make sense,

too large to allow for board members to effectively deal with the issues and would remind you that in the presentations to the committee hearing concerns on Bill 104, there were a number of boards, particularly in northern Ontario, which are going to be most affected by the geographic distance, that said: "Thank you very much, but the electronic means are not going to work for us. We are not going to be able to communicate in many areas of the province through the electronic means you're proposing."

I think the government has clearly failed in two areas of concern that were identified under Bill 104 to come up with anything other than vague powers being assigned to the minister to develop new regulations to deal with it and no specific answers to the problems at all.

Mr Wildman: Chair, you'll recall or perhaps you won't, but the parliamentary assistant will recall that when we debated 104, we raised the question regarding pupil representatives on boards. As my friend from Fort William has indicated, we still don't have the guidelines. I'm in favour, as I proposed when we debated Bill 104, of having pupil representation on boards, but I'm more than a little concerned about this because this is again an example of this bill where it gives the minister the power to set the policies and guidelines for representation, in this case, on boards. So much of this bill gives the minister the power to make policies and make changes on his own unilaterally. We want to know what these policies and guidelines will be.

I should point out just in passing there's another particular problem in some rural and northern parts of the province in that this government still hasn't come up with any guidelines for how first nations representatives will be appointed to school boards, who they will be and how they will be chosen. While I support bringing pupil representatives on to boards, I'm not happy with the fact that we still haven't been given the policies and guidelines.

Mr Crozier: I just want to point out that in the parliamentary assistant's description of this, I fail to see how giving the minister more power and broader powers regarding policies gives the boards any flexibility. The parliamentary assistant went on to say, "So that it can give the boards flexibility." If you want to give the boards flexibility, then what you do is limit the powers of the minister. I don't know whether it was intentional that the two issues were mixed. Do you really want to give boards more flexibility or do you want really want to give the minister more flexibility? I don't think an amendment such as 3.5 does that.

The Chair: Is there any further discussion? If not, I'll call the question. Shall the government amendment pass? All those in favour? All those against? The amendment carries.

We are now dealing with a third-party proposed amendment, item 8, at the top of the page.

Mr Tony Martin (Sault Ste Marie): I move that subsection 6(4) of the bill be amended by striking out "and paragraph 34, as enacted by 1991, chapter 10, section 1, of subsection 8(1) of the act, are" in the third, fourth and fifth lines and substituting "is."

As the bill is currently written, the minister will no longer have the power to make capital allocations for the construction of child care facilities on school sites. This motion restores that power. Removing child care from schools is shortsighted and goes against every recommendation of the royal commission, Premier's Council and other august bodies and learned individuals.

Mr Smith: My understanding of the proposed NDP motion is that it would retain power under paragraph 8(1)34 to prescribe by regulation the instalment payments of legislative grants. I'll be speaking in opposition to the motion because Bill 160 will continue to provide the payment schedule by memo from the ministry as under current practice under subsection 234(8), not through regulation. That's my understanding of the NDP motion, and given that payment schedule will continue, I have spoken in opposition to it.

The Chair: Is there any further discussion in regard to Mr Martin's motion to amend subsection 6(4)? If not, all those in favour? All those against? The motion is lost.

Mr Martin, I believe item 9 is not in the matter of a motion, is it? Or is that just instructions?

Mr Martin: The New Democratic Party recommends that section 6 of the bill be struck out. This motion is to strike out section 6 completely. Besides removing the power to provide capital for child care, this section allows the minister to determine roles and responsibilities of trustees and senior board officials to set fees for correspondence courses to require boards to prepare any report the minister may request and determine the duties of auditors, and we believe it should be struck down.

The Chair: I do believe item 9 is not a motion, and if it were a motion, it would be out of order in that the proper remedy is to vote against section 6, not move that it be removed from the act.

Mr Martin: Our thoughts are on the record on that particular —

The Chair: Yes. I permitted you that opportunity, Mr Martin. I do believe that is not a motion or it's out of order and therefore we do not have to deal with it.

We are now dealing with section 6, as amended by the government amendment. Is there any discussion in regard to section 6, as amended? If there is not, shall section 6, as amended, carry? Against? Section 6 is carried.

We are now dealing with section 7, item 11, a government amendment.

Mr Smith: I move that subsections 11(5), (6) and (6.1) of the Education Act, as set out in subsection 7(3) of the bill, be struck out.

The Chair: Is there any discussion in regard to the government amendment made by Mr Smith? If not, shall the amendment carry? All those in favour? All those against? The amendment carries.

Mr Crozier, I believe you wish to deal with item 12.

Mr Crozier: I move that subsection 11(5), (6) and (6.1) of the Education Act, as set out in subsection 7(3) of the bill, be struck out.

The Chair: This is, I believe, identical to the matter just dealt with, Mr Crozier, and is out of order and I so rule. Item 12 is out of order and will not be dealt with.

We will now proceed to Mr Smith and item 10.

Mr Smith: I move that subsection 11(6) of the Education Act, as set out in subsection 7(3) of the bill, be struck out and the following substituted:

"Same

"(6) A regulation made under subsection (5) may authorize the principal of a school to make determinations, subject to any directions given by the appropriate supervisory officer, respecting the work to be done at the school during the working days referred to in that subsection."

This particular motion amendment would retain in regulation the provision for determining how days of work prior to the school year would be used. Certainly it's an alternative option, I guess, with respect to item 11 and one that the government will be voting against.

The Chair: Is there any further discussion in regard to the proposed amendment of Mr Smith, item 10?

Mr Smith: Given the comments I've made, with your permission, Mr Chair, on behalf of the government, I'll just withdraw this particular motion.

The Chair: A motion made by Mr Smith is withdrawn and we are now proceeding to 13a and 13b.

Mr Smith: I move that subsection 11(7) of the Education Act, as set out in subsection 7(4) of the bill, be struck out and the following substituted:

"School year, terms, holidays, etc

"(7) Subject to the approval of the Lieutenant Governor in Council, the minister may make regulations,

"(a) prescribing and governing the school year, school terms, school holidays and instructional days;

"(b) authorizing a board to vary one or more school terms, school holidays or instructional days as designated by the regulations;

"(c) permitting a board to designate, and to implement with the prior approval of the minister, a school year, school terms, school holidays or instructional days for one or more schools under its jurisdiction that are different from those prescribed by the regulations; and

"(d) respecting the preparation and implementation of school calendars by school boards."

"Same

"(7.1) A school calendar prepared under a regulation made under clause (7)(d) shall not provide for,

"(a) more than 10 examination days in any school year determined in respect of a school under the regulations made under subsection (7); or

"(b) more than four professional activity days in any school year determined in respect of a school under the regulations made under subsection (7)."

Mr Chair, I understand it's required that I re-read clause (d), which will read as follows: "respecting the preparation and implementation of school calendars by boards."

1720

Mr Crozier: I have a couple of comments. During the hearings, albeit that they were limited in their scope, the

students did express some concern about the reduction or at least the limiting of examination days to 10. As some of us may be able to remember, examinations are a very stressful time. Depending on the course load that's being carried, they can be even more stressful, and taking away any kind of flexibility for examination days was of concern to the students, and on behalf of the students I wanted to reiterate that.

As for part (b), the professional activity days, and I know there's a great deal of discussion around professional development days and what's accomplished by them and so forth, but I refer at least — and I think it was to the accountability and testing office with regard to grade 6. They even suggested that more professional development days were needed, as curriculum changes, as needs change in our education system and it has been ongoing.

I know my children, who are now grown and through the system and on past university, were required to take courses, I believe, that contained information at an earlier age certainly than in fact I was. I think in order to help teachers maintain their level of expertise, we have to be very careful if we are perhaps arbitrarily limiting professional activity days and the participation of teachers in that.

Mr Martin: This is another part of the bill that gives to the minister and cabinet powers unheard of in the evolution of school development in this province and probably across the country. As Mr Crozier has said, in the hearings and certainly in my community, we heard loud and clearly from everybody who came how opposed they are to this particular piece of work by the government.

Just by way of example of the argument that's made, it surprises me why a government that understands how quickly times are moving and how the economy is changing and the world is changing and the need in the business sector for a continual process of upgrading of professionals working in a particular industry — why in education, which is probably one of the most important foundation pieces to the economy of any jurisdiction, you wouldn't want the people delivering the product in your own terminology to be continually exposed to new methods of doing that by way of professional development days is absolutely beyond me.

If you are at all interested in the evolution of education and that teachers be the best that they can possibly be, you will not support this draconian incursion into the way we do education in Ontario now and take away from boards the ability to respond to the needs of their professionals and the needs of the people in their particular area to deal with new information and challenges as they arrive. I will be opposing any attempt by this government, whether by amendment or the original document here, to change them.

Mr R. Gary Stewart (Peterborough): It's interesting that they liken this to the business community, of trying to upgrade one's skills etc. Much of the business community does that on their own time.

That's not what I wanted to speak to. I wanted to speak to the 10 days of examinations. There are some boards,

one of which is in the area I represent, who have gone from the 15 days of examination time down to 10 now, and I believe, in talking to many of the people in the community, it is working well. Granted there are those who still use the same rhetoric of how stressful it is, but if you talk to students and many of the teachers involved, certainly the students want to get on with those exams, they want to get them done. I understand from what I've been told that they're working very well in our community.

Mr Smith: Just very briefly, I think during the course of the public hearings we heard fairly regularly the concern expressed with respect to ministerial powers through regulation. This is but one example of where yes, in part, regulation-making powers have been continuing with respect to school year, terms and holidays, but certainly the move to place some of those government policy directions within statutes. This is very clearly one of the areas where we received some input and responds to the concerns concerning regulatory powers around the minister.

The Chair: Is there any further comment in regard to the government proposed amendment? If not, shall Mr Smith's amendment carry? All those in favour? All those against? The amendment is carried and we are proceeding to item 14, an opposition amendment.

Mr Crozier: I move that subsection 7(4) of the bill be struck out.

The Chair: That's a proper motion. Do you wish to speak to it, Mr Crozier?

Mr Crozier: Oh, I thought you were going to treat me the same way you did the last time and that you were going to rule it out of order.

The Chair: No, this is quite in order because you're dealing with a subsection rather than a complete section.

Mr Crozier: You certainly have caught me by surprise. No, I'm not going to speak to it because I may say something I shouldn't.

The Chair: Is there any discussion?

Mr Smith: I think it should be made clear that regulation-making powers for the school year are not new and have existed for some time through regulation 304. As we've previously indicated, the government amendment places the maximum number of PA days at four during the school year and exam days at 10 in the statutes and is reflective once again of the government's desire to move some of the regulatory powers that the minister previously had in the statute, and we'll be speaking in opposition to this particular motion.

The Chair: Is there any further discussion in regard to Mr Crozier's motion? If not, shall the proposed amendment carry? All those in favour? All those against? The amendment is lost.

I now put the question, if there's no further discussion, shall section 7, as amended, carry? All those in favour? All those against? It is carried.

There are no proposed amendments to sections 8 and 9. Is there any discussion or questions in regard to sections 8 and 9 of the bill? If not, shall sections 8 and 9 carry? All those in favour? All those against? The two sections are carried, sections 8 and 9.

We're now dealing with section 10, item 15, a government amendment.

Mr Smith: I move that subsections 19(3) and (5) of the act, as set out in section 10 of the bill, be struck out.

Effectively, this motion deletes reference to principals and vice-principals staying on duty during a strike. Certainly the amendment's placed given that principals and vice-principals are no longer proposed to be in the teachers' bargaining unit, it's no longer necessary to specify that they have to remain on duty during a teachers' strike.

1730

The Chair: Is there any further discussion? If not, all those in favour of Mr Smith's proposed amendment? All those against? The amendment carries.

We're now dealing with section 10, as amended. Any discussion or questions? If not, shall section 10, as amended, carry? All those in favour? It is carried.

We're now dealing with sections 11, 12 and 13. There are no amendments proposed with regard to those sections. Is there any discussion or questions with regard to sections 11, 12 and 13? If not, I'll put the question. Shall sections 11, 12 and 13 carry? All those in favour? They are carried.

We're dealing with section 14.

Mr Martin: You don't give us an opportunity any more to vote against?

The Chair: Quite right, Mr Martin. I counted a majority but I should call the question. Against? Just for the record.

Thank you for pointing that out, Mr Martin. You quite properly did that.

We are now dealing with section 14. We have item 16, being a government amendment.

Mr Smith: I move that clause 33(2)(c) of the Education Act, as set out in section 14 of the bill, be struck out and the following substituted:

"(c) the person's parent or guardian resides in the school section and,

"(i) is a supporter of the French-language public district school board, or

"(ii) is not in respect of that residence a supporter of any board."

This particular motion would provide the appropriate wording to allow children of supporters of a French-language public district school board to be qualified to be resident pupils of the board, both elementary and secondary, and allows access for French-language students to public French-language district school boards.

The Chair: Any questions or discussion with regard to the proposed government amendment? If not, I shall put the question with regard to the amendment, being item 16. Shall the amendment carry? All those in favour? All those against? The amendment carries.

Shall section 14, as amended, carry? All those in favour? All those against? Section 14, as amended, carries.

We do not have any proposed amendments to sections 15 and 16. Without objection, I'll deal with them together. Is there any discussion or questions with regard to sections 15 and 16 of the bill? If not, shall sections 15 and 16

carry? All those in favour? All those against? Sections 15 and 16 carry.

We are now dealing with section 17 of the bill. Item 17 is a government amendment.

Mr Smith: I move that clause 36(2)(a) of the Education Act, as set out in section 17 of the bill, be struck out and the following substituted:

“(a) the person is a French-speaking person, the person and the person’s parent or guardian reside in the secondary school district and,

“(i) the person’s parent or guardian is a supporter of the French-language public district school board, or

“(ii) the person’s parent or guardian is not in respect of that residence a supporter of any board.”

Once again, this particular motion would provide the appropriate amendment and wording to allow children of supporters of a French-language public district school board to be qualified to be resident pupils of the board, elementary and secondary, and again allows access for French-language students to public French-language district school boards.

The Chair: Is there any further discussion with regard to Mr Smith’s motion amending clause 36(2)(a), item 17? If not, shall the amendment proposed by Mr Smith carry? All those in favour? All those against? The amendment carries.

Is there any discussion with regard to section 17, as amended? If not, shall section 17 of the bill, as amended, carry? All those in favour? All those against? Section 17, as amended, carries.

There are no proposed amendments to sections 18 and 19. Is there any discussion with regard to sections 18 and 19 of the bill? If not, shall sections 18 and 19 carry? All those in favour? All those against? Sections 18 and 19 carry.

We’re dealing with section 20, and items 18A and 18B are proposed government amendments.

1740

Mr Smith: I move that section 42 of the Education Act, as set out in section 20 of the bill, be amended by adding the following subsections:

“Secondary school instruction: movement from French-language separate district school board to English-language public board

“(4.1) A person who is qualified to be a resident pupil of a French-language separate district school board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school operated by an English-language public board if the area of jurisdiction of the French-language board is in whole or in part the same as the area of jurisdiction of the English-language board.

“Secondary school instruction: movement from English-language public board to French-language separate district school board

“(4.2) A French-speaking person who is qualified to be a resident pupil of an English-language public board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school

operated by a French-language separate district school board if the area of jurisdiction of the English-language board is in whole or in part the same as the area of jurisdiction of the French-language board.

“Secondary school instruction: movement from French-language public board to English-language separate district school board

“(4.3) A French-speaking person who is qualified to be a resident pupil of a French-language public board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school operated by an English-language separate district school board if the area of jurisdiction of the French-language board is in whole or in part the same as the area of jurisdiction of the English-language board.

“Secondary school instruction: movement from English-language separate district school board to French-language public district school board

“(4.4) A French-speaking person who is qualified to be a resident pupil of an English-language separate district school board and to receive instruction in a secondary school grade is entitled to receive instruction provided in a secondary school operated by a French-language public district school board if the area of jurisdiction of the English-language board is in whole or in part the same as the area of jurisdiction of the French-language board.”

This proposed amendment would effectively add new subsections enabling pupils to attend schools of another board at the secondary school level, thereby continuing with open access.

The Chair: Any further discussion with regard to the proposed amendment to section 20? If not, shall the amendment carry? All those in favour? All those against? The amendment carries.

Is there any discussion with regard to section 20, as amended? If not, shall section 20, as amended, carry? All those in favour? All those against? Section 20, as amended, carries.

We are now proceeding to item 19A. I would request that the committee note that it refers to section 22 at the top, and that should have read section 21. I consider that an administrative error, and it is corrected.

Mr Smith: I move that subsections 43.1(2) and (3) of the Education Act, as set out in section 21 of the bill, be struck out and the following substituted:

“General or particular

“(2) A regulation made under subsection (1) may be general or particular.

“Right to continue to attend in certain circumstances

“(3) A pupil who, on December 31, 1997, is enrolled in a school that he or she has a right to attend under clause 33(1)(b), 33(2)(b) or 40(1)(b) of this act, as it read on December 31, 1997 and who on January 1, 1998, because of the repeal of those clauses, no longer has the right to attend the school under any other provision of this part, has the right to continue to attend the school so long as the pupil, or the pupil’s parent or guardian, continues to be the owner of the property or the owner or tenant of the busi-

ness property in respect of which the pupil acquired the attendance right.

"Exception

"(4) A right under subsection (1) is extinguished if,

"(a) in connection with a transfer of a school under clause 58.1(2)(p), a school that was a French-language instructional unit becomes a school of an English-language district school board;

"(b) in connection with a transfer of a school under clause 58.1(2)(p), a school that was not a French-language instructional unit becomes a school of a French-language district school board; or

"(c) the school becomes another type of school within the meaning of subsection 37(2)."

Effectively this particular motion would allow for the continuation of the right of a non-resident to attend school where a pupil was enrolled on December 31, 1997, so long as the parent continues to own property through which a pupil acquired a tenant's right in the first place.

The Chair: Is there any further discussion in regard to the proposed amendment to section 21 of the bill? Shall Mr Smith's amendment carry? All those in favour? All those against? The amendment carries.

Is there any discussion or questions in regard to section 21, as amended? If not, shall section 21, as amended, carry? All those in favour? All those against? Section 21, as amended, carries.

We are now dealing with section 22. Is there any discussion in regard to section 22? If not, shall section 22 carry? All those in favour? All those against? Section 22 carries.

We're now dealing with section 23. There is a government amendment, item 20.

Mr Smith: I move that subsection 48.1(1) of the Education Act, as set out in section 23 of the bill, be struck out and the following substituted:

"Right to continue attending a school: London-Middlesex Act, 1992

"48.1(1) If, on December 31, 1997, a pupil is enrolled in a school that he or she has a right to attend under the London-Middlesex Act, 1992, as that act and the regulations made under it read immediately before the Education Quality Improvement Act, 1997 received royal assent, the pupil has the same right to continue to attend the school after January 1, 1998, as before January 1, 1998."

This proposed motion effectively provides clarification of the technical nature once again regarding the continuance of the right of a pupil to attend as per the London-Middlesex Act, 1992.

The Chair: Is there any discussion or question in regard to the amendment proposed by Mr Smith? If not, shall the amendment carry? All those in favour? All those against? The amendment carries.

We are now dealing with section 23, as amended. Is there any discussion in regard to section 23, as amended? If not, shall section 23, as amended, carry? All those in favour? All those against? Section 23 carries.

We have no proposed amendments by any of the parties in regard to sections 24 to 29, inclusive. Is there any

discussion or questions in regard to sections 24 to 29, inclusive? If not, I'll put the question. Shall sections 24 to 29, inclusive, carry? All those in favour? All those against? Sections 24 to 29, inclusive, carry.

We're now dealing with section 30. We have a proposed amendment by the government, being item 21.

Mr Smith: I move that subsection 55(1) of the Education Act, as set out in section 30 of the bill, be struck out and the following substituted:

"Regulations: pupil representatives

"55(1) The Lieutenant Governor in Council may make regulations providing for representation on boards, by peer election or by appointment, of the interests of pupils in the last two years of the intermediate division and in the senior division."

This effectively provides an amendment to provide powers that would provide for the representation of students on school boards in terms of developing policies in this area and to clarify that pupil representatives represent secondary school students.

1750

The Chair: Are there any questions or discussion in regard to the proposed government amendment?

Mrs McLeod: I just want to express my concern. I assume there's some expectation that when the new boards of education are established as of this January, which is about a month and a half from now, there is going to be student representation, because that was something that was agreed to in Bill 104. This is the second amendment you've brought forward that simply gives regulatory powers to the minister to decide how this is going to be provided for. Is there any sense on the part of the government right now how you're actually going to have student representation on boards?

Mr Smith: Effectively this amendment, as I indicated, related to a previous amendment we dealt with and the committee dealt with, and allows the minister to have school boards develop their own policies to determine if they wish to have more than one student representative and how to go about choosing that particular representative, and, in my opinion, provides some local flexibility in that regard.

Mrs McLeod: The previous amendment gave the minister virtually unfettered authority to make regulations setting out how people could be represented —

Mr Smith: Policies and guidelines.

Mrs McLeod: Right. My question is, all we have is regulatory power. We don't have any idea how this is actually going to work. Does the ministry have anything to offer on how it's going to work at this point?

Mr Smith: Mrs McLeod, I appreciate the point of view you're expressing and I can assure you that we continue to work to ensure that effective the new implementation date for the district school boards, there will be effective guidelines in place with respect to this issue.

Mrs McLeod: They've got a month and a half left.

The Chair: Is there any further discussion in regard to the proposed amendment to section 30, being item 21? If

not, all those in favour of the amendment? All those against? The amendment is carried.

Item 22.

Mr Smith: I move that section 55 of the Education Act, as set out in section 30 of the bill, be amended by adding the following subsection:

"Same

"(3.1) In a regulation under this section the Lieutenant Governor in Council may provide for any matter by authorizing a board to develop and implement a policy with respect to the matter."

Again, this would provide an amendment to ensure powers with respect to the representation of pupils to allow the board to develop policies in this area and to clarify that pupil representatives represent secondary school students.

The Chair: Is there any question or discussion in regard to the proposed amendment? If not, I'll call the question. All those in favour of the proposed amendment? All those against? The amendment is carried.

We are now dealing with section 30, as amended by two government amendments. Is there any discussion in regard to section 30, as amended? If not, shall section 30, as amended, carry? All those in favour? All those against? Section 30, as amended, is carried.

We're now dealing with section 31. Do we have any questions or discussion in regard to section 31? If not, shall section 31 carry? All those in favour? All those against? Section 31 carries.

We're now dealing with section 32; a government amendment, items 23a and b.

Mr Smith: I move that clause 58.1(2)(q) of the Education Act, as set out in section 32 of the bill, be struck out and the following substituted:

"(q) such transitional matters as the Lieutenant Governor in Council considers necessary or advisable in connection with the school system reforms of 1997 and 1998, including but not limited to regulations providing for,

"(i) such matters as the Lieutenant Governor in Council considers advisable to prevent disruption in the education of pupils,

"(ii) the obligation of a district school board to exercise the powers and carry out the duties of another district school board for and on behalf of the other district school board,

"(iii) the obligation of a district school board to deal with assets, liabilities or employees, or classes of assets, liabilities or employees, that are identified in the regulation, for and on behalf of another district school board;

"(iv) the recovery of some or all of the costs incurred by a district school board in meeting any requirement under this clause;"

The Chair: Any questions or discussion in regard to the proposed amendment?

Mr Wildman: Perhaps the parliamentary assistant could provide some clarification as to how this relates to the amendment on page 40 in the handwritten numbers on the pages.

Mr Smith: I probably should have provided some explanation of the proposal initially. This particular motion provides LGIC regulation on transitional matters to amend or add the power to oblige the district school board in the short term to look after assets and liabilities and employees that are identified as belonging to another district school board, usually in a newly formed minority language board. This amendment is in response to requests from areas where minority-language boards will be formed, and we'll assist them during the transition period.

Mr Wildman: if you'll bear with me as I get some clarification on item 40 — item 40 is intentionally in place to make clear that we can't take away their right to strike.

Mr Wildman: So that relates to the concerns that have been raised about (q)(i) in motion 23A.

Mr Smith: That's correct.

Mr Wildman: So when you say, "such matters as the Lieutenant Governor in Council considers advisable to prevent disruption in the education of pupils," your view is that your motion 40 deals with the concerns raised that that might in fact include a strike.

Mr Smith: That's correct.

Mr Wildman: I guess we'll see if it does that when we get to it, if we get to it.

The Chair: On that note, the time being 6 o'clock, Ms McLeod will be either asking a question or raising a point in regard to the amendment. Section 32 will be amended a number of times, so it'll be a very important section. We will adjourn until 7 pm sharp. I remind committee members that the clerk has arranged for the dining room to serve you each a meal. So we'll see you at 7.

The committee recessed from 1759 to 1905.

The Chair: Good evening, ladies and gentlemen, members of the committee. We will proceed with consideration of Bill 160. We were dealing with section 32 when we adjourned for dinner. Mr Wildman had just spoken in regard to Mr Smith's amendment, item 23a of your compilation of amendments.

Mr Wildman: I had asked a question about how this amendment from the government fit in with number 40 and the legal counsel for the ministry has explained their thinking.

In their view, in the view of the government, there is provision in the amendment that is numbered 40 that the government is going to bring in when we get to it which says that neither the Lieutenant Governor in Council nor the Education Improvement Commission has any authority under subclause 58.1(2)(q)(i) to intervene in a strike or lockout. For that reason, they feel that this has dealt with the concern about (1)(q)(i) that has been raised where it says "such matters as the Lieutenant Governor in Council considers advisable to prevent disruption in the education of pupils."

Frankly, in my view, it does not meet the concerns that have been raised as well as the amendment that is being proposed, and which we support, by my friend from Fort William, which we will be dealing with next. For that reason, I would not support this amendment as opposed to the amendment that will be put by the opposition.

Mrs McLeod: I am also going to be anxious to see the government move and pass the further amendment that relates to our concern on this particular — I'm assuming we are still on the amendment to 58.1(2)(q). You'll recall that this is an issue that our leader raised in the House, that this could potentially allow the government to intervene and limit the right to strike.

My understanding is that if the government does move and pass that further amendment, plus another amendment that they have, that concern will be alleviated. Even though at the time we were told we were silly to even raise it as a concern, obviously it was a concern or you would not have two subsequent amendments to clarify the situation. But I think I should be reasonably satisfied that if those future amendments go through, our concern around this clause is relieved.

Having said that, as Mr Wildman has just said, we continue to be concerned about the kinds of blanket regulatory powers being taken by the Lieutenant Governor in Council and we'll still be moving that this entire section be struck.

The Chair: Any further discussion in regard to Mr Smith's motion to amend clause 58.1(2)(q)? If not, I'll call the question. Shall the amendment carry? All those in favour? All those against? The amendment carries.

We are proceeding to the opposition and item 24.

Mrs McLeod: I move that subclause 58.1(2)(q)(i) of the Education Act, as set out in section 32 of the bill, be struck out.

I think the discussion on this has already taken place. We will be consistently opposing broad regulatory powers being given to the Lieutenant Governor in Council, including the powers given to do virtually anything the minister sees as advisable during the transitional period.

Mr Wildman: I won't reiterate the arguments we've just put. We agree with the member for Fort William that these matters should not be dealt with by giving the minister more regulatory powers and for that reason we will support the amendment.

Mr Smith: Just to be brief, I think very clearly this, in the government's opinion, relates to item 40. Certainly it's not the government's intention to override right to strike. It was an issue that was expressed by teachers during the public hearings and the leader of the official opposition raised it, as Mrs McLeod indicated. Item 40 will deal with it in terms of tightening up the language so that there's no concern around that. But given that comment, the government will be voting in opposition to this Liberal motion.

The Chair: Is there any further discussion? If not, I'll call the question. Shall the motion brought by Mrs McLeod carry? All those in favour? All those against? The amendment is lost.

Moving to item 25, Ms McLeod.

Mrs McLeod: I move that section 58.1 of the Education Act, as set out in section 32 of the bill, be amended by adding the following subsection:

"No affect on right to strike

"(2.1) Nothing in this section or in the regulations made under this section limits, abridges or otherwise interferes with the right of teachers to strike."

Clearly, in terms of timing, we had followed up on our concern about the basket clause we've just dealt with in the previous amendment and proposed that there be this very clear limitation. I think the government agrees with this, which is why they've proposed a similar amendment later on.

Mr Wildman: As you can see, item 26 is an NDP amendment which is very similar to this amendment. Essentially it is our view that there should not be any limitation or abridgement or interference with the right of a teacher as defined under section 277.1 to strike in accordance with the Labour Relations Act. So our amendment is very similar, and for that reason, if the government does not want to limit the right to strike or to have this section limit the right to strike, I hope the government will support it. If this amendment passes, then obviously it would not be necessary for us to deal with the NDP amendment.

Mr Smith: I will again be speaking in opposition to the motion. Certainly the government believes that item 40 of the text provides the direction that would effect to the same extent the proposal contained in the Liberal motion. We clearly intend to amend 58.2.1(4) in an effort to expressly provide that neither the LGIC nor the EIC has any authority under 58.1 to intervene in a strike or a lockout situation and we'll be voting against the motion.

The Chair: Any further questions or discussion in regard to the motion of Ms McLeod? If not, I'll call the question. All those in favour? All those against? The motion to amend is lost.

We're proceeding to Mr Wildman, item 26.

Mr Wildman: It's a very similar motion, so I won't prolong things. I would expect the same vote.

The Chair: Is there any further discussion? If not, I'll call the question. I'm sorry, Mr Wildman, you have to move that and read it into the record.

Mr Wildman: All right. I move that section 58.1 of the Education Act, as set out in section 32 of the bill, be amended by adding the following subsection:

"Right to strike

"(2.1) A regulation made under subsection (2) shall not limit, abridge or otherwise interfere with the right of a part X.1 teacher, as defined in section 277.1, to strike in accordance with the Labour Relations Act, 1995."

As I said, I won't prolong the debate. Unfortunately I assume it'll be the same vote.

The Chair: Is there any further discussion? If not, all those in favour of the motion brought by Mr Wildman? All those against? The motion is lost.

Dealing with government item 27, Mr Smith.

Mr Smith: I move that section 58.1 of the Education Act, as set out in section 32 of the bill, be amended by adding the following subsection:

"Same

"(3.1) Subsection (3) applies only to the extent necessary to permit the next regular election after the regulation is made, or any by-election preceding that next regular

election, to be held in a way that takes account of the provisions of the regulation.”

This effectively adds provision with respect to regulation for electoral purposes to apply only to the extent necessary to permit the next regular board election or any by-election preceding the next regular election.

Mrs McLeod: Whatever that means. You don't want us to ask.

Mr Smith: — consideration was left out in the event that a by-election would occur for trustees, so this provision adds the necessary requirement to recognize by-election requirements.

The Chair: Is there any discussion in regard to the motion brought by Mr Smith?

Mr Wildman: I have a question. Perhaps the parliamentary assistant could explain why anybody would want to run for trustee under this legislation.

Mr Smith: My only response to that is 1,200 people did run.

The Chair: Is there any other discussion or question? If not, I'll put the question. Shall the amendment proposed by Mr Smith carry? All those in favour? All those against? The amendment is carried.

Item 28.

Mr Smith: I move that section 58.1 of the Education Act, as set out in section 32 of the bill, be amended by adding the following subsection:

“Purpose of clauses (2)(d), (e)

“(5.1) The purpose of clauses (2)(d) and (e) is to provide authority to the Lieutenant Governor in Council to make changes in the jurisdiction of boards on a case-by-case basis.

“Limitation re clauses (2)(d), (e)

“(5.2) A regulation shall not be made under clause (2)(d) or (e) if an area that, immediately before the regulation takes effect, was within the area of jurisdiction of a board would, immediately after the regulation takes effect, not be within the area of jurisdiction of a board.”

This particular motion effectively limits the regulation-making powers regarding the alteration in a territorial area or the dissolution of a district school board to make it clear that it cannot be used to remove areas from any school board jurisdiction. This specifically was an issue that was raised in some areas with respect to the new district school boards.

The Chair: Is there any discussion or questions in regard to the motion made by Mr Smith?

Mr Wildman: Is that limiting the regulatory power in your view? One of the main concerns that we have for this legislation is that so much discretion is given to the minister and to the cabinet. You're saying that this is going to limit that in regard to changes in jurisdiction of boards?

Mr Smith: That's the intention, Mr Wildman, to limit that with respect to territorial change or dissolution.

The Chair: Any further questions or discussion in regard to the proposed amendment made by Mr Smith? If not, I'll put the question, item 28. Shall the amendment carry? Against? The motion carries.

Item 29.

Mr Smith: I move that subsection 58.1(8) of the Education Act, as set out in section 32 of the bill, be amended by striking out “55 or” in the fourth line.

Effectively, this motion strikes out the reference “or 55.” The proposed section 55(4) makes it clear that a pupil representative is not a member of the board and could not count towards the total membership of the board. The unnecessary reference is therefore removed.

The Chair: Any questions of Mr Smith or further discussion? If not, shall the proposed amendment carry? All those in favour? Against? The amendment carries.

Item 30.

1920

Mr Smith: I move that section 58.1 of the Education Act, as set out in section 32 of the bill, be amended by adding the following subsection:

“Purpose of clause (2)(l)

“(10.1) The purpose of clause (2)(l) is to provide authority to the Lieutenant Governor in Council to resolve questions relating to assets, liabilities and employees that arise in connection with any changes in the jurisdiction of boards that may be made on a case-by-case basis.

“Limitation

“(10.2) The Lieutenant Governor in Council has no authority under clause (2)(l) to transfer employees of a public board to a Roman Catholic board or to transfer employees of a Roman Catholic board to a public board.

“Exception

“(10.3) The limitation provided in subsection (10.2) does not apply in relation to the transfer of an employee between two boards if,

“(a) both boards agree that the limitation should not apply in respect of the transfer; and

“(b) the minister approves the agreement referred to in clause (a).”

Effectively, this motion has been proposed to clarify that the purpose of the LGIC authority is to resolve questions relating to assets, liabilities and employees that arise in the future on a case-by-case basis. The LGIC cannot transfer public board employees to a Roman Catholic board or vice versa unless both boards agree and the minister approves the agreement.

Again, this was an issue that was raised during the committee hearings and this is an amendment that attempts to address that.

Mrs McLeod: If I recall correctly, this is an issue that was raised during committee hearings on Bill 104, not on Bill 160. That's one of the reasons it has been proposed repeatedly that this bill be divided into sections, one being the issues that resolve the problems that were created with Bill 104 and the other being all the brand-new issues that this government is introducing under the auspices of transition to the new amalgamated school boards.

But if I recall correctly, Mr Smith, going back to the committee hearings on Bill 104, there was considerable concern about the transfer of assets and also the transfer of employees. This, as I understand it, would make it clear that the Lieutenant Governor in Council, ie, cabinet — let's be clear about who we're talking about here —

cannot transfer employees from a public board to a separate board, but they certainly can resolve issues that would effect employees being transferred from what is now their board jurisdiction to what is today a different board jurisdiction; in other words, transfer across geographic areas that are now part of the same amalgamated board as long as it's within a public board or within a separate board. What strikes me in this is that the cabinet, the central Queen's Park cabinet, is being given the authority to resolve these issues at a local level.

First of all, the power appals me but, second, the sheer unmanageability of having the cabinet resolve these issues of asset transfer and personnel transfer is absolutely amazing, which says to me that it isn't the cabinet that's going to do it at all. This is another one of those powers that's going to be turned over to the EIC, the non-elected body that is going to be having absolute and total control over the disposition of both assets and employees within the new amalgamated boards.

It's exactly the issue that was raised during Bill 104, with presenter after presenter expressing their concerns about these kinds of powers being given to the EIC. What you've done here, as I read it, is confirm that that's exactly what you're going to do.

Mr Wildman: I agree with Ms McLeod's comments. I want to raise a specific example that would be foreign to most urban parts of southern Ontario, but is a situation in many rural parts of the province and in the north.

Right now, there are many situations where the Catholic board only has an elementary school in the community and the students from the Catholic board and the public board both attend the public high school, secondary school. In those kinds of situations there are trustees elected by the Catholic ratepayers to serve on the public board to deal with matters that relate to secondary school education. It is going to be very difficult and very complicated to work out where these assets should go.

If you look at this amendment as it is proposed, what it says to me is that there will be possible transfers between new public boards but not between the public and separate, the public and Catholic. This is a particular concern as it relates to those situations in my part of the province where there is both a French school and an English school in the same building in the public system. The establishment of the new French boards will mean that the vast majority of the students probably will attend the new French Catholic board, while I read this to mean that the transfers will be public to public. So although a very small minority of the students will be going to the public French board, they are the ones who are going to get the transfers, and this is going to be very complicated.

I understand there is a pending court challenge on this matter, which I think is one of the many this government is going to face because of this legislation. This is going to be a major problem when we get further on here and we deal with assets as opposed to transfer of employees, but it's a question with regard to employees as well. I don't know how you're going to deal with this. How are you going to ensure that if we're going to have transfers from

public to public — and in regard to the French public boards, in many cases they're going to end up with far fewer students than the now non-existent French Catholic board, yet they're the ones who are going to need the staff and the assets. I don't think you can solve those problems here at Queen's Park. I think you have to deal with them locally.

The Chair: Is there any further discussion? Questions? If not, we're dealing with item 30, Mr Smith's motion to amend. All those in favour of the amendment? All those against? The amendment carries.

Item 31(a).

Mr Smith: I move that subsection 58.2(3) of the Education Act, as set out in section 32 of the bill, be struck out and the following substituted:

"Role of Education Improvement Commission

"(3) In a regulation under clause 58.1(2)(p) or (q), the Lieutenant Governor in Council may provide for any matter referred to in clause 58.1(2)(p) or (q), in subsection (1) or (2) of this section or in subsection 58.2.1(6) by assigning powers and duties to the Education Improvement Commission, including but not limited to powers and duties to,

"(a) issue directives to district school boards and other persons or bodies or classes of persons or bodies specified by the commission respecting criteria to be applied and processes to be followed in developing recommendations to the commission on any matter referred to in clause 58.1(2)(p) or (q), in subsection (1) or (2) of this section or in subsection 58.2.1(6);

"(b) issue directives respecting the participation of classes of persons or bodies specified by the commission in the development of recommendations referred to in clause (a) and respecting dispute resolution processes;

"(c) make determinations respecting the holding in trust, transfer and vesting of assets, including but not limited to real and personal property, the transfer of liabilities and the transfer of employees of old boards to and among district school boards;

"(d) issue orders that the commission considers necessary or advisable to give effect to the determinations made under clause (c) and impose terms and conditions on its orders; and

"(e) issue directives establishing deadlines for complying with any directive or order made by the commission under the regulations."

Effectively, this particular motion provides LGIC regulations on transitional matters in the role of the EIC, amends powers to refer, new subsection 58.2.1(6), to accommodate designated boards performing obligations of minority language school boards. A regulation would set out parameters for designated boards in managing these affairs.

1930

Mrs McLeod: I want the people in the audience to know that if they're having difficulty following this, they're not the only ones. We've got the material in front of us, and half the time we still don't know what the government is trying to do with this. I'm not sure that the

parliamentary assistant's explanation helped me very much. I tried in the break to understand what was meant by the change of adding "or in subsection 58.2.1(6)." It seems to relate in some ways to expanded powers of the EIC to deal with geographic district and the numbers of trustees to be elected — board members, sorry; we've lost "trustee" as a term.

We just had the elections, so I'm really puzzled as to why we are at this point bringing in amendments that increase the power of the commission to deal with issues related to members of the board or to geographic distribution. I'm assuming this is all about the next election and we're looking three years hence in order to be able to fix the mistakes which were obviously made by rushing through the amalgamation of the boards for this November and conducting the elections which just took place. Am I right, that this is a clause that allows you to fix the mistakes you made last month?

Mr Smith: What this amendment does, as do other amendments, is oblige district school boards in the short term to look after the assets and liabilities that are identified as belonging to another district school board. It's usually in the case of a newly formed minority language board, to assist them during the transition period. That's what this amendment does.

Mrs McLeod: I will just say that we are going to be opposing the expanded powers of the EIC in this and in every other respect, and in fact in the next amendment we'll be proposing to strike this entire section.

Mr Wildman: When we were debating Bill 104, we opposed this kind of amendment, and we'll oppose it here. We don't believe an appointed body like the Education Improvement Commission should be given these kinds of powers. We believe these matters should be dealt with locally.

In discussion of the previous amendment, I raised concerns around transfers of assets as well as people. They use the example of secondary schools as related to the new francophone boards, particularly the French Catholic boards.

It says here under (c) that the Education Improvement Commission will be assigned powers and duties that include but are not limited to making recommendations "respecting the holding in trust, transfer and vesting of assets, including but not limited to real and personal property, the transfer of liabilities and the transfer of employees of old boards to and among district school boards."

I have one other matter I want to raise, but I'd like to raise now the issue I raised a moment ago. If we're talking about transfer from public to public, how do we deal with this if we're talking about a situation where French students in the past attended a public secondary school but now, because of the establishment of a new francophone Catholic board, which is now non-existent in the area, how do they get the employees and assets they require, the properties they require, in order to be able to serve those students, at the same time preserving for the needs of the public francophone students? You're going to have far more students in the Catholic system in most of those

communities than you have in the public system. I'd like to know how this does it.

Mr Smith: What I can respond to is the nature of the motion before us in the amendment we have. It's effectively an amendment that obliges larger district boards to assist, perhaps not abandon, the newly formed minority language boards during the transition period. That is the intent of this amendment and certainly the application it's intended to have.

Mr Wildman: I think I understand your intent. You're giving the power to the EIC to do this. But how does it relate to the one the committee just passed, where it said "public to public"?

Mr Smith: We'd like clarification. Mr Wildman, if I may ask for about a five-minute recess so I can get some direction from legal counsel.

Interjections.

Mr Smith: If that's what you're asking for, I assume you want the right answer.

Mr Wildman: I'm serious, I would like to have —

Mr Smith: Well, I'm not sure that you are serious, but I'm attempting to get that for you.

Mr Wildman: No, I am. I was just wondering if it's possible one of your staff could explain it.

Mr Smith: It's going to take a moment.

Mr Wildman: Oh, okay. We don't have a lot of time here. We have a lot of amendments and we're not going to get through them all. But there are issues that have to be dealt with. I would just make the other point on this amendment, and then however the committee wants to deal with it, fine.

I look at (d), for instance, where it says the EIC can "issue orders that the commission considers necessary or advisable to give effect to the determinations made under clause (c)" — the one I've just raised — "and impose terms and conditions on its orders; and

"(e) issue directives establishing deadlines for complying with any directive or order made by the commission under the regulations."

Even if you could answer my previous question, which I hope you will be able to, I believe this gives an unelected body, the Education Improvement Commission, far too many powers, far too wide-ranging, and it's not appropriate that an unelected body could exercise these kinds of powers, where they can just issue a directive and everybody has to comply. It would be far better if these matters could be resolved locally and then, if there are problems, have some sort of arbitration process.

Mr Smith: Mr Chair, with your permission, I'll ask ministry counsel to approach the mike and provide an explanation for Mr Wildman.

The Chair: Is that satisfactory, Mr Wildman?

Mr Wildman: Sure.

The Chair: It might save us some time, that's all.

Mr John Tomlinson: My name is John Tomlinson. I'm legal counsel with the Ministry of Education. The previous motion referred to things done under clause (1). Clause (1) is to deal with future years, where you'd have to have, on a case-by-case basis, maybe a dissolution of a

board in order to amalgamate it with another board and so on.

What we're talking about here is dealing with the present restructuring. Your clause (1) did talk about not being able to transfer employees across denominational lines. There's a similar provision that applies to this. The relationship between not being able to transfer employees across denominational lines would be a restriction on the provisions in this motion you've just read, such as "make determinations" for "transfer...of assets...liabilities...and employees...among district school boards." You would read in the limitation that is like the limitation from your previous motion, that you can't transfer employees across denomination lines; however, you can transfer assets. The regulation can provide for transferring assets across denominational lines.

Mr Wildman: So it's partially answered but not completely. If most of the students are going to end up in the other denominational board, to use your term, that is no longer existent, if the public English board says, "All right, we're going to transfer all of these assets to the public French board," but the public French board only has 100 students and the Catholic French board has 300 or 400 students and they end up without the assets but with the employees, there's going to be a problem.

Mr Tomlinson: You're saying they may have the assets but they may not get the employees unless some arrangement is made whereby boards agree to transfer, because that is the exception. If boards do agree to transfer employees across, that can happen.

Mr Wildman: That's the way I would prefer to do it all the time, rather than giving these arbitrary powers to the EIC.

The Chair: Does that answer your question, Mr Wildman?

Mr Wildman: Yes, sort of.

The Chair: Is there any further discussion in regard to the motion brought by Mr Smith? If not, we're dealing with item 31a, a motion to amend, by Mr Smith. I will call the question. All those in favour of the amendment? All those against? The amendment is carried.

We are dealing now with item 32, a motion of the opposition.

1940

Mrs McLeod: I move that subsections 58.2(3), (4), (5) and (6) of the Education Act, as set out in section 32 of the bill, be struck out.

As I've said, we are going to be consistently opposing increased transfer of powers to the Education Improvement Commission. We deplore the expanded regulatory power being given to cabinet in so many places in this bill, but for us there's one thing even worse than the regulatory power being taken by cabinet, and that's the ability given throughout this bill for cabinet to transfer that power to an unelected body, the Education Improvement Commission.

Even the clause just referred to by the legislative counsel, if my memory is correct, says that even where there is an agreement between local boards to transfer employees between public and Catholic boards, that can only be

carried out with the agreement of the EIC. The powers being given to this handful of people appointed by the minister, with no electoral accountability, are absolutely awesome.

Therefore, we are going to move that this section be struck out. It's a series of sections which gives considerably expanded powers to the EIC at the minister's discretion, and we will be proposing further amendments that delete the power given to the EIC at every place where it appears.

Mr Smith: We'll be speaking in opposition to the motion. Effectively the amendment would prevent the EIC from determining the transfer of assets and liabilities and employees to the new district school boards. As Mrs McLeod will know, the EIC has issued guidelines with respect to this and will be consulting on this particular matter.

I recognize the comments she's made with respect to regulatory power, but there are a number of substantive amendments that in fact transfer that regulatory power into statute with respect to Bill 160. This is not one of those cases, but there are many other substantive areas where that has been done as a result of the public hearings.

Mr Wildman: I agree with my friend from Fort William. We are opposed to providing the EIC with so much power.

The Chair: Is there any further discussion or questions in regard to the motion to amend brought by Mrs McLeod, being item 32? If not, I'll put the question. All those in favour of Mrs McLeod's motion? All those against? The motion is lost.

We are proceeding to item 33.

Mrs McLeod: I move that subsection 58.2(7) of the Education Act, as set out in section 32 of the bill, be amended by striking out the portion before clause (a) and substituting the following:

"Criteria re transfer of assets, liabilities, employees

"(7) In making regulations under clause 58.1 (2)(p) or (q), the Lieutenant Governor in Council shall,"

This takes the EIC out of the picture, and at least leaves an elected body accountable for making decisions about the transfer of assets, liabilities and employees.

Mr Smith: Similar to the comments made previously, my comments would apply. I would hope as a government member that if Mrs McLeod felt strongly about that, she would have changed the powers of the Ontario Labour Relations Board, the Education Relations Commission and the Environmental Assessment Board, which all have similar powers to the EIC. Seeing that that hasn't been done, certainly the powers that have been granted are consistent with those existing bodies.

Mr Wildman: I would just point out that we used to do most of these things by negotiation between boards and teachers or among boards. It's far preferable.

The Chair: Is there any further discussion? If not, I'll put the question. The motion we're dealing with is item 33, a motion brought by Mrs McLeod. All those in favour of the motion? All those against? The motion is lost.

We are proceeding to item 34a.

Mr Smith: I move that subsection 58.2(7) of the Education Act, as set out in section 32 of the bill, be struck out and the following substituted:

"Criteria re transfer of assets, liabilities, employees

"(7) In making regulations under clause 58.1(2)(p) or (q) and in making determinations and issuing directives or orders under this section, the Lieutenant Governor in Council or the Education Improvement Commission, as the case may be, shall,

"(a) have regard to the needs of each district school board;

"(b) ensure that all assets, liabilities and employees of old boards are transferred to district school boards;

"(c) ensure that all employees of old public boards are transferred to public district school boards; and

"(d) ensure that all employees of old Roman Catholic boards are transferred to separate district school boards.

"Definition

"(7.1) In subsection (7),

"'old public board' means a board of education and the Metropolitan Toronto School Board within the meaning of this act as it read immediately before the Education Quality Improvement Act, 1997 received royal assent;

"'old Roman Catholic board' means a county combined separate school board and a district combined separate school board within the meaning of this act as it read immediately before the Education Quality Improvement Act, 1997 received royal assent.

"Exception

"(7.1.1) Where a district school board acquires an employee as a result of merger with an old board, clauses (7)(c) and (d) do not apply in respect of the transfer of the employee to another district school board if,

"(a) both district school boards agree that clause (7)(c) or (d), as the case may be, should not apply in respect of the transfer; and

"(b) the Education Improvement Commission approves the agreement referred to in clause (a).

"Limitation

"(7.2) Subject to subsection (7.3), clause 58.1(2)(p) does not authorize the transfer of any asset, liability or employee after August 31, 1998.

"Exception: ongoing disputes

"(7.3) Where on August 31, 1998, there is an ongoing dispute between district school boards as to the appropriate disposition of an asset, liability or employee, the asset, liability or employee may be transferred, by regulation or order, as the case may be, under clause 58.1(2)(p) at any time before January 1, 1999."

This motion provides criteria regarding the transfer of assets, liabilities and staff. It effectively limits the transfer of public school board employees to public school boards and Roman Catholic board employees to Roman Catholic boards, but allows for exception by agreement between both district school boards and the approval of the Education Improvement Commission.

Mrs McLeod: This is the clause I was referring to which I find really offensive. Mr Smith, in his earlier comments, referred to the fact that if we're objecting to

the EIC's powers, we should object to powers held by bodies like the Ontario Labour Relations Board. The Ontario Labour Relations Board is in place to deal with disputes that arise in labour negotiations and it's something which is in place on an ongoing basis.

You've established, with the Education Improvement Commission, a body with enormous powers to dictate what happens in the process of an amalgamation to fix the chaos you're creating with the process of amalgamation. Mr Wildman quite rightly points out that when a previous Conservative government brought about amalgamation of school boards, we didn't need an EIC dictating the way in which local agreements were reached in order to deal with the realities of that amalgamation. This clause says that, even in a situation where school boards reach an agreement that fits under your exemption, they are not allowed to conclude that agreement without the approval of the EIC. I don't know what you're so worried about.

Mr Wildman: I won't repeat the arguments that have been made. I would just make the point that we oppose these matters being dealt with, first, at Queen's Park rather than locally and, second, by an unelected body. Having said that, though, I read this with some interest where it says, "in making determinations and issuing directives or orders under this section, the Lieutenant Governor in Council" — in other words cabinet — "or the Education Improvement Commission, as the case may be, shall (a) have regard to the needs of each district school board."

If the parliamentary assistant could assure me that this means that any and all savings that are achieved through restructuring will be reinvested to meet the needs of the students in these district school boards, I might consider supporting it. If the government would make a commitment that they'll reinvest all of the savings and not take \$700 million out of education, I might reconsider my position on this. If the parliamentary assistant can make that commitment, I might vote for this.

1950

Mr Smith: This is an amendment that, in the event that boards agree to employee transfer and the employees themselves may not agree, the EIC is in place to hear that particular issue. Albeit your concerns about the EIC, this particular mechanism has been established to provide some protection to those individuals who would find themselves in that conflict.

Mr Garry J. Guzzo (Ottawa-Rideau): What did you guys do with the \$600 million you took out of the social contract?

The Chair: Excuse me, you wish the floor, Mr Guzzo?

Mr Guzzo: Yes.

The Chair: Mr Wildman isn't here to answer questions, I'm afraid.

Mr Wildman: I'd be happy to answer one.

The Chair: It's up to you.

Mr Wildman: The fact is that those were negotiated over six months; they weren't imposed by an unelected body without negotiations.

Mr Guzzo: I'll accept that. What did you do with the money? You took \$600 million out of education in the social contract. What did you do with the money?

Mr Wildman: You made it a permanent cut and then you took an additional \$800 million out and now you want to take another \$700 million out.

Mr Guzzo: Guilty. What did you do with the money?

Mr Wildman: You said that you were going to ensure there wouldn't be any cuts to classroom education.

Mr Guzzo: We couldn't find it when we came to power. What did you do with the money?

Mrs McLeod: If you couldn't find it, how could you cut it again?

Mr Wildman: How on earth did you guys make those savings permanent if you didn't know where they were?

Interruption.

The Chair: I'd remind the audience that though the behaviour of members of the committee may not be to your liking, you are not permitted, as members of the audience, under the rules of this House to demonstrate, which would include yelling or even applause. I know it's difficult at times, but I really would like you to obey that standing order, which I did not make, that the House made. In the event you choose not to, I have the power to adjourn, and I don't wish to waste the time. As this is time-allocated, the time is very valuable to the opposition in this case, more so than to the government. If we can proceed, Mrs McLeod.

Mrs McLeod: Would you please remind the members of the committee that this time is very valuable. We're trying to go through a due process, as farcical as it may actually be, and we would appreciate being able to concentrate on the amendments in front of us.

Mr Wildman: I'll try not to be provocative.

The Chair: I didn't want him to ask you the question, Mr Wildman. In any event, if we may proceed then, is there any further discussion in regard to the motion made by Mr Smith to amend section 58.2(7)? If not, I'll call the question. Shall the motion moved by Mr Smith carry? All those in favour? All those against? The motion is carried.

We are moving to item 35, Ms McLeod.

Mrs McLeod: I move that subsection 58.2(8) of the Education Act, as set out in section 32 of the bill, be amended by striking out the portion before paragraph 1 and paragraph 1 and substituting the following:

"Employees

"(8) The following rules apply where an employee is transferred from an old board to a district school board under a regulation made under clause 58.1(2)(p):

"1. A person who is an employee of an old board on the day the regulation transferring the employee is made and who would, but for that regulation, still be an employee of the old board on the day the regulation is to take effect is an employee of the district school board referred to in the regulation on the day the regulation is to take effect."

I wish there was some way in which we could simply dispense with the reading of these intricately drafted amendments. It would save us a lot of time. I don't know if there's any way in which we can do that, but since we

can't, I've gone through it quickly. Basically, it's once again taking the EIC out of the picture as we feel they should be taken out of the picture.

The Chair: Thank you. I'm advised by the clerk that we cannot take it as read, as we would do in many other cases, unfortunately.

Mr Wildman: Can't we just dispense?

The Chair: No.

Mr Crozier: Why?

The Chair: I understand that is the ruling.

Mr Crozier: Why?

Mr Wildman: Because in the House when you dispense, you've already read it once.

The Chair: It doesn't go into Hansard by dispensing. Everything we say is in Hansard. Is there any further discussion in regard to the motion brought by the opposition?

Mr Wildman: I won't prolong it; I'll just say I agree with it.

The Chair: I'll then call the question. We're dealing with item 35, Ms McLeod's motion. Shall the amendment carry? All those in favour? Against? The motion is lost.

Moving on to item 36, Mrs McLeod.

Mrs McLeod: I believe that this motion is no longer in order. Had our previous amendment which would have taken the EIC's orders out of the legislation passed, then this amendment would have been in order and it would have not been necessary for orders and directives of the EIC under this section to be filed in the Ontario Court. But since those amendments were defeated, this motion is no longer in order.

The Chair: Thank you for withdrawing item 36. Item 37.

Mrs McLeod: I move that subsection 58.2(11) of the Education Act, as set out in section 32 of the bill, be amended by striking out "this section or" in the second and third lines.

I wanted to make it clear that section 11 states, "Orders and directives of the Education Improvement Commission under this section or a predecessor of this section are final and shall not be reviewed or questioned in any court." This is the issue that we have raised concerns about in Bill 104 and we raise the concerns again. We lost the issue in Bill 104 when the government was determined to give the EIC powers and to make those powers not challengeable in any court.

It's my understanding that we cannot alter those terms and conditions in Bill 104; therefore, our motion speaks only to those renewed powers of the EIC given in this bill and the fact that their decisions and orders will not be reviewable in any court. We're proposing that that be struck. I wish we could take out that clause in Bill 104, but since we can't, we can at least propose that orders made by the Education Improvement Commission under this bill be subject to review in a court of law.

Mr Wildman: Before I make my argument, I would like to ask a question on a point of order. You will note, Chair, that the next amendment, the NDP amendment that is proposed that I would be putting on the floor, would strike the whole section. In other words, the purpose of our

amendment is similar, but goes a little farther in that it would delete the clause similar to the one in Bill 104 which says that EIC orders and directives are final and shall not be reviewed or questioned by any court. My point of order is, is it your view that these are the same amendment or are they substantively different? If so, if this one does not carry, then would it be in order for me to put my motion or is there any problem with that?

The Chair: They are different.

Mr Wildman: All right. Then I would just say that I agree with this, but I would actually like to go further and strike the whole thing, because in our view it is completely unacceptable, whether it's the Labour Relations Board, the Environmental Assessment Board, the Ontario Municipal Board or any other board, for their decisions not to be testable in court. I find this detestable.

It seems to me there are many questions about this legislation and its constitutionality, as was intimated by the judge in the case when the government attempted to get an injunction against the teachers. It is completely unacceptable in our system of government for a government to pass legislation saying an agency of that government can make orders and directives that cannot be taken to court. Surely any matter can be tested with regard to its constitutionality under the Constitution of Canada and the Charter of Rights and Freedoms. I find this completely objectionable.

While I support my friend's amendment, I would like to go further and strike the whole thing and not allow anybody to suggest that decisions and directives of an agency of the government are not testable in court.

Mrs McLeod: I just want to determine whether Mr Wildman's motion, which is similar but goes further, will be ruled in order. If it is in order, I would be happy to withdraw our motion in favour of his. We were advised by legal counsel that it would not be ruled in order to strike the entire clause because it affects a predecessor bill.

The Chair: I don't believe we're doing an entire clause.

Mrs McLeod: In Mr Wildman's motion?

The Chair: Yes.

Mrs McLeod: Will Mr Wildman's motion of the striking of subsection 58.2(11) affect predecessor legislation, take away rights that were granted in Bill 104? We were informed that it would not be considered in order, but if it is in order, if we can vote on Mr Wildman's motion, I'd be happy to withdraw ours in favour of his.

2000

The Chair: It seems to be okay, item 38, brought by Mr Wildman.

Mrs McLeod: If I may still withdraw, I'd be happy to proceed to Mr Wildman's motion.

The Chair: Item 37 is withdrawn by Ms McLeod. We're turning to item 38.

Mr Wildman: I move that subsection 58.2(11) of the Education Act, as set out in section 32 of the bill, be struck out.

We've made the arguments. I appreciate Ms McLeod's position. I think she's in agreement with mine and I with hers. These are arbitrary powers that have no place in a

constitutional democracy. For that reason, we would like to see them struck. I may have read too much into what you said, Chair, when you said this is all right. I think you were just ruling it in order; you weren't making a substantive statement about my amendment.

The Chair: I hope I never make substantive statements in this chair.

Mr Wildman: I would hope other members, who have some understanding and appreciation of the democratic process and the role of the courts in our system, would support this amendment.

Mr Crozier: Just to reiterate what it is we're speaking about, that is, "Orders and directives of the Education Improvement Commission...shall not be reviewed or questioned in any court." To have a clause like this in a piece of legislation, and I'm certainly not a lawyer, but to a layperson, to me is so totally undemocratic that it's little wonder we are under the distinct impression that there will be challenges to this piece of legislation, because when any legislative body, and even worse, an unelected body, is put above the law, I think it goes to the very heart of what this piece of legislation is all about and it should be challenged right through the courts to the hilt if for no other reason than those kinds of clauses. I think it should be withdrawn.

Mr Smith: Obviously Mr Wildman made reference to other administrative tribunals. I would simply offer this suggestion, which as I know as my learned colleague will know, that a non-reviewable provision is not uncommon in legislation with respect to administrative tribunals. Certainly there's nothing in this bill that would prevent a reviewable item before the courts in the event the EIC acted outside of its statute or the parameters provided to it. Recognizing the opposition you have to that, it's important to realize that those powers do exist in other administrative tribunals and that any inappropriate activity is reviewable by court.

The Chair: Is there any further discussion? We are dealing with item 38, moved by Mr Wildman. If not, I'll call the question. Shall the amendment, proposed by Mr Wildman, carry? All those in favour? All those against? The motion is lost. We're moving to item 39.

Mrs McLeod: I move that subsection 58.2(15) of the Education Act, as set out in section 32 of the bill, be amended by striking out "or as a result of an order made under such a regulation" in the fourth, fifth and sixth lines.

Just to be consistent, that would be an order made by the EIC and we're opposing any further extension of powers to the EIC.

The Chair: Is there any further discussion?

Mr Wildman: I don't want to prolong this, but this is really crucial. In this case it relates to the EIC and to the matters we've just been debating, but it also relates to a lot of this legislation in that it gives arbitrary powers, in this case, to the EIC; in other parts of the legislation it gives such powers to the minister and to the cabinet or the Lieutenant Governor in Council. There are many, many provisions giving regulatory power here that mean deci-

sions can be made without reference to the Legislature or to the public.

It goes to the core of this legislation and the objections that have been raised about whether this is anti-democratic legislation. That's what's really concerning in this law that's being proposed here. For those reasons I support the amendment. I understand the administrative arguments being made by the parliamentary assistant, but I don't think they answer the philosophical questions about the democratic process that we are raising and that many people in the public are raising.

Mr Smith: In essence, this is a complimentary motion previously made by the Liberal Party with respect to the powers of the EIC. As I've indicated previously, the government believes it's appropriate for the Education Improvement Commission to have a role with respect to the transfer of assets, liabilities and employees' issues. For that reason, I will not be supporting the Liberal motion.

The Chair: Is there any further discussion in regard to the motion brought by Ms McLeod to amend the Education Act, subsection 58.2(15)? If not, I'll call the question. Shall the motion carry? All those in favour? All those against? The motion is lost. We're moving to item 40a.

Mr Smith: I move that Part II.2 of the Education Act, as set out in section 32 of the bill, be amended by adding the following section:

"Purpose of authority under clauses 58.1(2)(p), (q), section 58.2.

"58.2.1(1) The purpose of clauses 58.1(2)(p) and (q) is to provide authority to the Lieutenant Governor in Council and, where the Lieutenant Governor in Council exercises authority under section 58.2 to assign powers and duties to the Education Improvement Commission to address transitional matters that arise in connection with the school system reforms of 1997 and 1998.

"Same

"(2) In particular, the purpose of subclauses 58.1(2)(q)(ii) and (iii) is to provide authority to the Lieutenant Governor in Council and, where the Lieutenant Governor in Council exercises authority under section 58.2 to assign powers and duties to the Education Improvement Commission, to give certain district school boards time, where necessary, to prepare for the assumption of full administrative and operational responsibility for assets, liabilities and employees.

"Limitation: clauses 58.1(2)(p), (q), section 58.2

"(3) Neither the Lieutenant Governor in Council nor the Education Improvement Commission has any authority under clause 58.1(2)(p) or (q) or section 58.2 to address matters that, in the reasonable opinion of the Lieutenant Governor in Council or the Education Improvement Commission, as the case may be, are unrelated to the school system reforms of 1997 and 1998.

"Limitation: subclause 58.1(2)(q)(i)

"(4) Neither the Lieutenant Governor in Council nor the Education Improvement Commission has any authority

under subclause 58.1(2)(q)(i) to intervene in a strike or lock-out.

"Limitation: subclause 58.1(2)(q)(ii)

"(5) Neither the Lieutenant Governor in Council nor the Education Improvement Commission has any authority under subclause 58.1(2)(q)(ii) or (iii) to oblige a district school board to do anything after August 31, 1998.

"Same

"(5.1) Despite subsection (5), where subsection 58.2(7.3) applies, authority under subclauses 58.1(2)(q)(ii) and (iii) may be exercised to impose obligations on district school boards until January 1, 1999.

"One district school board to follow directions of another

"(6) Where authority is exercised under subclause 58.1(2)(q) (ii) or (iii), the district school board acting for and on behalf of another district school board shall follow the directions of the other district school board in order to ensure that the governance role of each district school board, as described in subclause 58.1(2)(a)(i), (ii), (iii) or (iv), is respected.

"Same

"(7) The authority to make regulations under subclause 58.1(2)(q)(ii) or (iii) includes the authority to make regulations respecting how the requirements of subsection (6) are to be met."

2010

Mrs McLeod: It seems to me that if a government has to have this many clauses limiting its own power, it should look at the power it gave to itself in the first place with that total basket clause we dealt with earlier. There is at least some improvement over what is currently in the legislation by providing the limitation and particularly the limitation on ability of the Lieutenant Governor in Council or the EIC to intervene in any strike or lockout.

I recall very well our leader being told that he was simply silly in suggesting this could be a possibility under the legislation the way it was drafted. I am glad to see the government has at least recognised that the leader was right, that this was definitely a possibility and that they've acted to limit it in some way. If the parliamentary assistant is being advised that the minister said there was still a possibility to have a strike under this, I would certainly appreciate knowing that so we can address the issue now.

Mr Smith: Quite frankly, as I indicated with the previous motions dealing with this particular item, this is to place a limitation on authority and to make very clear that neither the EIC nor the LGIC can use this regulation-making power to deal with a strike or lockout. That's the intention of this amendment, and to strengthen the wording around that.

Mrs McLeod: It's still not as strong as I think it should be, but at least it's better than what currently exists with no limitations on the power of the cabinet or the EIC.

Mr Wildman: Am I to understand that in this clause the government is minding its Ps and Qs? I would like some clarification, seriously, on the second page where it says, first on limitation, "Neither the Lieutenant Governor in Council nor the Education Improvement Commission

has any authority under clause 58.1(2)(q)(ii) or (iii) to oblige a district school board to do anything after August 31, 1998." Then, under (5.1), "Despite subsection (5), where subsection 58.2(7.3) applies, authority under subclauses 58.1(2)(q)(ii) and (iii) may be exercised to impose obligations on district school boards until January 1, 1999." Could you just clarify that for me; I'm not sure I know what that means.

Mr Smith: My understanding is that those provisions have been included in an effort to place parameters on time and scope.

Mr Wildman: Yes, I know. Just clarify what subsection 58.2(7.3) is and how it relates to the two different dates. One says it can't be done after August 31, 1998, and then it says despite that it could be done until January 1, 1999.

Mr Smith: It's a clause that's been included with respect to obliging obligations with respect to this item.

Mrs McLeod: But the two clauses are mutually contradictory.

Mr Wildman: They seem to be contradictory. I'm sure there must be some explanation for this or perhaps you weren't minding your Ps and Qs. I'd just like clarification; they seem to be contradictions.

Mr Smith: Perhaps I could ask ministry counsel to provide clarification then, if I'm not doing it appropriately.

Mr Tomlinson: The first subsection, (5), is basically saying all transfers of assets, liabilities and employees have to be completed by August 31, 1998. What the second subsection does is it says that despite that, if there are any particular assets, for example, that are under a dispute where boards have not agreed who should get them, then on those you can continue on until the end of the year, but by then you have to solve the dispute and transfer the assets.

Mr Wildman: Thank you. This is somewhat of an improvement, as my friend from Fort William said, because it attempts to limit the Lieutenant Governor in Council and the Education Improvement Commission. In that sense it's an improvement, but as she said, perhaps the need to limit power should lead you to consider whether you should be granting these powers in the first place.

The Chair: Any further discussion?

Mr Smith: I think counsel has responded to Mr Wildman.

The Chair: We are dealing with a government amendment brought by Mr Smith. If there are no further questions, all those in favour? All those against? The amendment is carried.

Mrs McLeod: I move that subsection 58.3(1) of the Education Act, as set out in section 32 of the bill, be amended by striking out "and a directive or order issued under section 58.2" in the second and third lines.

Again, this is taking the EIC out by not allowing them to make orders under this section.

Mr Wildman: I agree.

Mr Smith: Just briefly, this is a complimentary amendment to many others the Liberal members have proposed. The government believes the Education

Improvement Commission should be empowered to make specific orders and directives as it applies to assets and liabilities and employees and is voting against this particular motion.

The Chair: Is there any further discussion or questions in regard to the amendment brought by Ms McLeod? All those in favour of the amendment? All those against? The amendment is lost.

Mr Smith: I move that subsection 58.3(3) of the act, as set out in section 32 of the bill, be struck out.

This particular motion relates to an amendment that addresses the infamous Henry VIII clause that the committee heard a considerable amount of input and opposition to during the public hearings on Bill 160. The amendment effectively eliminates, in its entirety, the Henry VIII clause that was previously contained in the original drafting of the bill.

Mrs McLeod: We have an exactly identical amendment as well. Clearly we will be supporting this amendment. However, I do have a question, because this is one of those interesting amendments that has a note. I know you didn't want the notes to be made available; it was an accident that you tabled the wrong set of amendments and that your notes continued to be made available to us.

Mr Wildman: And I might say, very helpful.

Mrs McLeod: Very helpful. But it raises some very real questions. The note on this particular one is that the constitutional law branch advises this clause be dropped; wise advice given the fact that it was quite clear from two court decisions that it was going to be challengeable in the courts. But the next statement is: "MET" — the Ministry of Education and Training — "legal branch is concerned that it might be needed. Please advise whether to include this motion." I'm glad to see that you've decided to include the motion. I think it would have been constitutionally very difficult for you not to. But I would be interested in knowing why the MET legal branch felt this sweeping clause abrogating the government from following any of its acts or regulations, and giving the government power by regulation to override any other act of the government, might be needed?

Mr Smith: If you want the explanation, I trust legal counsel will provide that to you. Very clearly, the government, notwithstanding the position of legal branch, heard from the people of this province that they have genuine concerns with respect to this particular clause and have moved to strike it from the bill. That's clearly in direct response to the public criticism that was raised concerning power centring around regulation. That was the decision that the minister and the government made with respect to this, and the item in the note I accept as advice from legal counsel within the ministry.

Mrs McLeod: Therefore, you're not going to answer my question as to why this clause was there in the first place and why it was felt that it might be needed. This clause did not appear by magic in the original legislation. It was put there very deliberately.

I continue to be particularly incensed that this clause appeared because it was clearly there to give greater

powers under the basket clause which would have allowed the Lieutenant Governor in Council to make any regulations he deemed to be advisable in order to prevent disruption to students. We argued, as you know, that that could include the removal of the right to strike. We were told no, it can't because of the existence of the Labour Relations Act, only to find that this clause existed which would have allowed cabinet to overrule the Labour Relations Act or any other act.

We're very suspicious. I'm glad it's gone, but I'm still suspicious about the government's agenda and I wish that there was some way that we could ask that the question be answered as to what other possible uses the government might have made of that clause.

2020

Mr Wildman: As you'll know, Chair, the NDP has exactly the same amendment, striking the Henry VIII clause, and we're proud to support the government as it finally recognized the error of its ways in this particular case because this was the most infamous and anti-democratic of all of the portions of this bill.

I am intrigued by the note. I want to thank the staff in the minister's office for being so kind as to include the notes by legal advisers. It is most helpful to the opposition and it is, I hope, a precedent that will be followed in the future when governments submit amendments to their legislation.

I understand, however, that in fact this is in here because it was the wrong amendment that was tabled, the wrong draft. I understand that there were discussions going on between the Ministry of Education and Training legal branch and the constitutional law branch and that in fact what they intended to submit was a later draft which would have not struck this section but would have amended it so that there would still have been some residual powers.

I'm glad that you goofed and that you have decided to stick with these amendments, thanks to your time allocation motion under which you wouldn't extend the deadline for the amendments, because in this case the public, the people of Ontario, will benefit from your mess up.

Mrs McLeod: Hoist on their own petard.

Mr Wildman: Yes, you've been hoist on your own petard, as it were. I would be happy to hoist you even higher by supporting it.

The Chair: Thank you, Mr Wildman. I'm amazed that we have unanimous agreement and yet we take so long. But in any event, is there any further discussion in regard to Mr Smith's motion to amend? If not, all those in favour? It's unanimous.

Mr Wildman and Ms McLeod, in regard to items 43 and 44, I would —

Interjection.

The Chair: They are withdrawn? Thank you very much. That ends all amendments to section 32. We are now dealing with section 32, as amended, aforesaid. Is there any further discussion or questions in regard to section 32, as amended? If not, shall section 32, as

amended, carry? All those in favour? All those against? The motion passing section 32, as amended, carries.

We are now dealing with sections — and I won't hurry this, but I'm trying to group some of them — 33 to 41, inclusive, which have no amendments. Are there any questions or discussion in regard to sections 33 to 41, inclusive? If there are no matters that wish to be raised in that regard, shall section 33 to section 41, inclusive, carry? All those in favour? All those against? The sections are carried.

We are now dealing with section 42, item 45.

Mr Smith: I move that subsection 42(2) of the bill be struck out and the following substituted:

"(2) Subsection 68(5) of the act is repealed and the following substituted:

"Fee payable by non-resident

"(5) Where a pupil attends a school that is operated by a board appointed under this section in a children's treatment centre and the pupil is not a resident pupil of the board, the board of which the pupil is a resident pupil or is qualified to be a resident pupil shall pay to the board that operates the school the fee, if any, payable for the purpose under the regulations.

"Same

"(5.1) Where the pupil is not a resident pupil or qualified to be a resident pupil of a board and the pupil's cost of education is not payable by the minister under the regulations the pupil's parent or guardian shall pay to the board that operates the school a fee fixed by such board.

"Same

"(5.2) A fee fixed under subsection (5.1) shall not be greater than the fee, if any, payable for the purpose under the regulations."

Effectively, this proposed amendment replaces reference to "the centre for the treatment of cerebral palsy, crippled children's treatment centre, a hospital or a sanatorium," with "children's treatment centre," effectively removing outdated references and more appropriately using common terminology with respect to these areas of interest.

Mr Wildman: Again, we have the consideration by the government in giving us their note and I'd like to have an explanation of the note. It says, "The term 'children's treatment centre' may be too narrow since it could result in the exclusion of general hospitals." Please, can you give us some explanation here?

Mr Smith: It's my understanding, Mr Wildman, that that was raised as a concern, but it has been determined that the items identified under that note are not relevant and that the proposed amendment captures the concerns considered in that underlying note.

The Chair: Any further discussion or questions? If not, shall the motion, an amendment proposed by Mr Smith, carry? All those in favour? All those against? The motion carries.

Is there any discussion of section 42, as amended? If not, shall section 42, as amended, carry? All those in favour? All those against? Section 42, as amended, is carried.

I'm subject to the committee's advice, but there are no amendments in regard to sections 43 to 79, inclusive. That's an awful pile of sections and perhaps you could peruse them to see if there are matters you wish to raise. Yes, Mr Wildman.

Mr Wildman: Because of the time allocation motion and the fact that we have 217 amendments to this bill, which runs in itself to about 220 pages, it is really, as you indicate, an inappropriate way to deal with things, to deal with all of those clauses without going through them one by one, but in terms of practicality I think that we have to deal with the amendments.

There are two ways we could deal with it. We could simply pass all of these sections without discussion, which I think is unfortunate, or we could stand them down and deal with the amendments as far as possible and then at 5 o'clock tomorrow, if we haven't dealt with all the clauses, then we have to deal just by voting as per the time allocation motion.

The Chair: Thank you, Mr Wildman. If I may, though, that's going to really get complicated because we're going to be dealing with this problem throughout the bill where there are no amendments. But in any event, Ms McLeod.

Mrs McLeod: I like Mr Wildman's suggestion. I don't think it would be that complicated. I think it would be fairly easy for the clerk of the committee to identify the sections which have not been voted on as whole sections. I don't think they have an impact on the future sections. However, I feel that what we should be concentrating on is the amendments.

I will express my very real concern that we move so quickly through so many major sections of the act and there has been an amendment on one part of the sections that you're about to lump together, but it was defeated early on in the process because it was our amendment relating to the change in name of school trustees to board members throughout the bill and it was dealt with in one amendment at the very outset.

I just again express concern about the way in which this government has chosen to present omnibus legislation, beginning with Bill 26, in a way which was quite unprecedented at that time but has become standard practice for the government. It used to be that omnibus legislation dealt only with essentially housekeeping issues. Now the government has chosen to use omnibus legislation to ram through extensive changes in policy and governance without there being an opportunity for full discussion or consideration of the individual sections of those bills.

We've chosen not to make amendments to these particular sections because we want to concentrate on the most draconian parts of the bill and, with that, I can't speak to whether or not this is good, bad or indifferent in every part, but I would be prepared to move on to the substantive amendments that have already been tabled.

2030

The Chair: We must move on in numerical order. It would take unanimous consent, I take it, to stand it down. Is that what you're suggesting? Mr Wildman has moved

and requested unanimous consent that sections 43 to 79, inclusive, be stood down until the —

Interjection.

The Chair: The last amendment would be —

Mr Wildman: Or until we reach 5 pm tomorrow afternoon.

The Chair: Five o'clock is no good, Mr Wildman, because then you won't have a chance to debate them in any event.

Mr Wildman: No, that's what I meant. As for the time allocation motion, if we get to 5 o'clock, it's moved anyway. We just have to vote on all of the sections and amendments that we haven't yet dealt with, so we'd just be voting after that anyway. Unless of course you want to recommend to the House that we extend this process so that we can deal with it properly.

The Chair: Mr Wildman, I can deal with them individually. I'm really trying to do it in the fastest method possible.

Mr Wildman: No, we don't want to end up in a long procedural discussion, so if you want to deal with them all as a group and forget about my request for unanimous consent, then let's do it so we can go on.

The Chair: It certainly would be faster. We wouldn't waste any more time.

Mr Wildman: All right, fine. Why don't we do it that way?

The Chair: Is there any discussion or questions in regard to sections 43 to 79, inclusive? If not, shall section 43 to section 79, inclusive, carry? All those in favour? All those against? Carried.

We are moving on to section 80, item 46.

Mr Smith: I move that paragraph 17.1 of subsection 170(1) of the Education Act, as set out in subsection 80(2) of the bill, be amended by striking out "advisory" in the first line.

This specifically addresses the removal or the dropping of the advisory aspect before "school council." As the committee will recall, Bill 104 requires the Education Improvement Commission to make recommendations on the role of a school council. This particular amendment provides to some extent more scope for the EIC study. The committee will know as well that school councils currently operate under memorandum 122, which outlines the advisory role of school councils, and certainly that policy memorandum would remain in force.

Mrs McLeod: I find this a truly frightening amendment and I am very sceptical as to why it is here. I would point out that the way the clause now reads is very innocuous, I suppose. It says, "We will establish a school council for each school operated by the board in accordance with the regulations," which basically means there is no role, advisory or otherwise, outlined for school councils.

Once again, this is an issue that has been raised by school councils since the hearings on Bill 104, saying we want a clear understanding of the role of school councils and the expectation of the government of these school councils. Taking out the word "advisory" simply adds

more confusion to the question that school councils have been asking about what their role indeed will be.

Beyond that, and I know the parliamentary assistant's going to tell me the EIC is going to tell us what the role of the school councils will be eventually somewhere down the road, but the government had included the word "advisory" in its original legislation. In all the presentations that were made by existing school council representatives, they accepted the role of "advisory" being an advisory council. They made it absolutely clear in the hearings on Bill 160, as they did in the hearings on Bill 104, that they did not want to be given a role which would make them essentially the managers of their schools.

There was some measure of comfort for those school councils in the fact that the government was making it clear in law that the school councils would be advisory and that the EIC would develop their role within that context. The only groups that made representation to this committee opposing the advisory nature of school councils were those groups that wanted to see school boards abandoned totally and total management of schools turned over to school councils and who felt that this bill did not go far enough in that direction.

By taking the word "advisory" out, the government has not only confused the issue for existing school councils, but I think has opened the door to take those further steps in turning managerial responsibility for schools over to the school councils. That is clearly not what any existing representative of a local school council asked for.

Mr Wildman: I truly regret this amendment. Some of the most eloquent presentations that this committee heard on Bill 160 came from representatives of school councils across the province. I remember in particular two presentations in Thunder Bay. The first one was early in the morning by the chair of the public school board schools councils and the second one was late in the afternoon by the chair of the Catholic school boards schools council.

That woman received a standing ovation from a very large crowd, much larger than we have observing the committee this evening. I remember how she started off her presentation. She looked directly at the members of the committee, particularly the government members, and she said: "You mandated us. You created school councils. Now you better listen to us." Then she talked about her three children and went step by step through Bill 160 and said why it was bad legislation and how it would harm the future of her children.

I also recall that she said that they wanted to remain advisory, that they did not want to be trustees. They did not want to have the role of school board members, that if they wanted that role, they would have run for election and that they valued the relationship they had with their trustees.

The only body that appeared before this committee that claimed to represent parents that asked for this change was the so-called Ontario Parent Council, a group that is all handpicked appointees of the minister and chaired by a member of the Fraser Institute. They said they wanted this change. A couple of other groups appeared before the

committee and said they wanted this change. They were groups that had names like Teachers for Excellence and Organization for Quality Education. All these groups use the same approach that this government uses in titling its legislation, but mostly these are groups hoping this government is moving towards charter schools. A couple of them were quite open about that, many were not so open, but that's what they're looking forward to.

Parents are interested in the education of their kids. They care about being involved in the schools, particularly these groups that are so active on school councils, but they don't want to administer the school, they don't want to run the school. They want to assist, they want to be listened to, they want to ensure that their input is useful and is influential, but they don't want to run the schools.

2040

I understand the parliamentary assistant's comments that the memorandum guidelines, which talk about "advisory," would remain in place, but we all know that it is much easier to change guidelines under a memorandum than it is to amend legislation. I think we need to have this word in the legislation so that, if at some point in the future there is to be a change, it means bringing it before the Legislature and before the public for a true public discussion of what the role of school councils should be.

I call on this government to do what the chair of the Thunder Bay Catholic schools council said this committee and this Legislature should do: Listen to the representatives of the school councils that appeared before this committee, respond to their concerns and their desires, not just in terms of this section but throughout the bill, because they eviscerated this legislation.

Mr Smith: I certainly agree with the member for Algoma that parents demonstrated a strong interest in education, and rightfully so, throughout the course of the public hearings. They also clearly indicated that there's a necessity for clarification with respect to their roles and responsibilities, and that makes appropriate in part the responsibilities given to the Education Improvement Commission to examine the future role of parent councils.

Clearly we've heard from some groups as well that if we were serious about parental involvement in the education system, the removal of the word "advisory" would go a long way to demonstrate that commitment. The government has responded to that recommendation and appropriately filed this particular amendment that would in fact remove the advisory aspect.

It does not, nor would I speculate or preclude any of the findings of the Education Improvement Commission we'll find with respect to their review, simply to suspect that they will receive the same type of input we heard in Thunder Bay from the group you referred to and give due consideration as well to those viewpoints and recommendations that were forthcoming at that time.

Mrs McLeod: The parliamentary assistant's comments confirm the worst fears that we have all had about this government's agenda and the worst fears of the parents who made representations to our committee that this

government's ultimate agenda was to turn managerial responsibility for schools over to them.

Mr Smith, you said that this clause gives more scope to the EIC to define the role of school councils. They had full scope to define that role as an advisory school council. When you say that you changed this clause in order to respond to those groups who wanted something more, it is a clear response in support for those groups who came here saying: "This doesn't go far enough. It is time to do away with school boards altogether. It is time to turn responsibility for school management over to parent councils."

This is preparing the ground for the wholesale introduction of charter schools and the privatization of our educational system, and this is the worst fear of everybody who presented to the committee who was really concerned about the protection of public education.

Interruption.

The Chair: Any further discussion? We only have 15 minutes left, ladies and gentlemen in the audience. I'd be loath to adjourn at this stage.

Mr Crozier: Aren't we going to 9:30, Chair?

The Chair: You're quite right. We have 45 minutes. That makes me feel better. Good.

Is there any further discussion? We are presently dealing with item 46, an amendment proposed by Mr Smith. Any further discussion?

Mr Wildman: Recorded vote, please.

Ayes

Boushy, Guzzo, Rollins, Smith, Stewart.

Nays

Crozier, McLeod, Wildman.

The Chair: The motion carries.

We are moving on to item 47.

Mr Smith: I move that subsection 170(3) of the Education Act, as set out in subsection 80(5) of the bill, be amended by striking out "advisory" in the second line.

Again, this proposed amendment is complementary to the previous with respect to removal of the word "advisory" in reference to school councils.

The Chair: Is there further discussion? If not, shall the amendment carry? All those in favour?

Mrs McLeod: A recorded vote, please.

Ayes

Boushy, Guzzo, Rollins, Smith, Stewart.

Nays

Crozier, McLeod, Wildman.

The Chair: The amendment carries.

We're now dealing with section 80, as amended by the two government amendments. Is there any further discussion? If not, I'll call the question. Shall section 80, as amended, carry? All those in favour? All those against? Section 80, as amended, is carried.

We are now moving on to section 81, item 48.

Mr Wildman: I move that section 170.1 of the Education Act, as set out in section 81 of the bill, be amended by striking out clause (3)(e) and subsection (5).

If you refer to the legislation, clause (3)(e) is the one that allows the Lieutenant Governor in Council to make regulations: "(e) designating positions that are not teaching positions and duties that are not teachers' duties and prescribing the minimum qualifications for a designated position or for performing designated duties."

Subsection (5) says, "It shall not be presumed that a person is required to be a teacher solely because he or she holds a position that is not designated under clause(3)(e) or performs duties that are not designated under that clause."

This is a central issue in this bill. Initially when the government brought forward these sections, the previous minister in particular, Mr Snobelen, made it clear that the government intended to use people who did not have certification to teach students; that was quite clear.

When it became obvious that the public was not prepared to accept this, the government's tune changed, and the new minister, Mr Johnson, and the Premier and others said, "oh no," they never intended that. They just intended that so-called experts — I think Mr Boushy said Wayne Gretzky wanted to coach all the high school hockey players in Ontario; at any rate, that they could bring experts in to assist the teachers. Well, they already can do that. Teachers don't need any legislation to allow them to bring people in to assist them in instructing the students, people who have special expertise. But that's the story the government has now.

We have still before us the fact that there are sections in this bill that make it possible for the Lieutenant Governor in Council, the minister in other words, to say that certain positions are not teaching positions. I suppose phys-ed teachers, librarians, student counsellors, early childhood educators, all those kinds of things could be designated as non-teaching positions and the duties they carry out non-teaching duties.

Then it goes on further to say in the other subsection that even if a person is doing other duties that are not covered in this one that designates non-teaching duties, we shouldn't presume that this person is a teacher. I can understand why the teaching profession is worried about such a clause and I certainly can understand why parents and students are worried about it. I think that we should just strike it, get rid of it. By getting rid of it, it doesn't prohibit teachers from bringing in experts to assist in instruction. That can already be done, and if that's the real intention of the government, they shouldn't have any objection to striking these subsections.

2050

Mrs McLeod: I certainly intend to support Mr Wildman's resolution. I believe in fact the government supports it as well because I think in the subsequent amendment, if I'm reading it correctly, they have deleted the clauses that give that power to the Lieutenant Governor in Council and have deleted even the non-presumption clause. I think we're also going to come back to it because the government introduces another amendment later on which still opens the door, I believe, to having non-qualified teachers. We will be voting against that amendment when it comes forward because, quite clearly, the government's intent under this clause was to provide for cheaper alternatives to certified teachers at the heads of our classrooms.

I am glad they have been persuaded that they cannot be quite so blatant about their intention to remove qualified teachers from the heads of our classes, but I'm still suspicious about what the further amendments do. We'll be voting against this entire section and all of these regulatory powers being taken unto the Lieutenant Governor in Council.

Mr Smith: I certainly appreciate the comments of the member for Algoma, but the issue of moving items from regulation to statute was one, as he will know as well as Mrs McLeod, who spent the duration of their time with the committee, that was very contentious and one that the government has responded to with respect to class size and instructional and differentiated staffing issues.

We certainly have consulted with the College of Teachers with respect to the issue of use of differentiated staffing. It's not one of dollars, it's one of maximizing on opportunities for students in the classroom. That's what this objective is. Certainly it's a central issue, I would agree with Mr Wildman, to the motions that will follow this particular amendment that has been proposed by the NDP. I believe that those proposed amendments appropriately address not only the concerns the public raised with respect to regulatory powers but central issues to the quality agenda that the government's pursuing with respect to education reform. From that perspective, we'll be voting against the NDP motion.

The Chair: Is there any further discussion in regard to the proposed amendment made by Mr Wildman? If not, shall Mr Wildman's amendment carry? All those in favour? All those against? The amendment is lost.

We are proceeding to item 49.

Mr Smith: I move that section 81 of the bill be struck out and the following substituted:

"81. The act is amended by adding the following sections:

"Class size

"170.1(1) Every board shall ensure that the average size of its elementary school classes, in the aggregate, does not exceed 25 pupils.

"Same, secondary schools

"(2) Every board shall ensure that the average size of its secondary school classes, in the aggregate, does not exceed 22 pupils.

"Exception

"(3) The average size of a board's classes, in the aggregate, may exceed the maximum average class size specified in subsection (1) or (2), as the case may be, to the extent that the minister, at the request of the board, may permit.

"Determination date

"(4) A board shall determine the average size of its classes, in the aggregate, as of October 31 each year.

"Regulations

"(5) The Lieutenant Governor in Council may, by regulation,

"(a) establish the method to be used by a board to determine the average size of its classes, in the aggregate;

"(b) exclude special education classes from the determination of average class size;

"(c) require boards to prepare reports (containing the information specified by the regulation) concerning the average size of its classes and to make the reports available to the public;

"(d) define terms used in this section for the purposes of a regulation made under this section.

"Review of maximum amount

"(6) Every three years, the minister shall review the amount of the maximum average class sizes specified in subsections (1) and (2).

"Teaching time

"170.2(1) In this section,

"'classroom teacher' means a teacher who is assigned in a regular timetable to provide instruction to pupils but does not include a principal or vice-principal.

"Minimum teaching time, elementary school

"(2) Every board shall ensure that, in the aggregate, its classroom teachers in elementary schools are assigned to provide instruction to pupils for an average of at least 1,300 minutes (during the instructional program) for each period of five instructional days during the school year.

"Minimum teaching time, secondary school

"(3) Every board shall ensure that, in the aggregate, its classroom teachers in secondary schools are assigned to provide instruction to pupils for an average of at least 1,250 minutes (during the instructional program) for each period of five instructional days during the school year.

"Allocation to schools

"(4) A board may allocate to each school a share of the board's aggregate minimum time for a school year for all of its classroom teachers (during which they must be assigned to provide instruction to pupils).

"Allocation by principal

"(5) The principal of a school, in his or her sole discretion, shall allocate among the classroom teachers in the school the school's share of the board's aggregate minimum time (as described in subsection (4)) for the school year.

"Same

"(6) The principal shall make the allocation in accordance with such policies as the board may establish.

"Effect on collective agreements

"(7) An allocation under subsection (4) or (5) may be made despite any applicable conditions or restrictions in a collective agreement.

"Calculation

"(8) The calculation of the amount of time that a board's classroom teachers are assigned as required by subsection (2) or (3) shall be based upon all of the board's classroom teachers and their assignments (on a regular timetable) on every instructional day during the school year.

"Part-time employees

"(9) For the purposes of subsection (2) or (3), the minimum time required in respect of each classroom teacher who is employed on a part-time basis by the board is correspondingly reduced.

"Teachers' assistants, etc

"170.3 The Lieutenant Governor in Council may make regulations governing duties and minimum qualifications of persons who are assigned to assist teachers or to complement instruction by teachers in elementary or secondary schools."

Effectively, this motion and proposed amendment amends the section on class size to specify a maximum average; as I indicated, an average of 25 at the elementary and 22 at the secondary. It puts into legislation the amount of time teachers should spend with students, 1,250 minutes per week on average for secondary and 1,300 minutes per week on average for elementary. The determination or allocation of instructional time will remain with the principal, in accordance with board policies. The proposed amendment amends provisions regarding teachers' assistants. To clarify, people are to assist or complement certified teachers consistent with the advice and opinions expressed by the College of Teachers.

Mrs McLeod: Where to begin? I suppose I should at least acknowledge that I would rather have these decisions set out in statute than under the regulatory power that existed under the act without this amendment. But I simply do not believe that these kinds of decisions about what is in the best interests of students in the classroom in each school jurisdiction can be effectively made by the Minister of Education sitting in Queen's Park. I believe very strongly that what this government is doing is destroying the partnerships that Mr Smith was saying earlier in the day were valued by the government, because having these kinds of decisions being made in this way by the government in Queen's Park shuts out all the other participants in the system from discussion as to whether these are good, bad or indifferent.

This amendment is a good example of why this is the wrong way to make decisions about what is in the educational interests of our students, because there can't be any discussion, there can't be any debate, there can't be any opportunity to look at what the impacts of these now statutory requirements will be on individual classrooms in individual jurisdictions. Nor is there any accompanying requirement for the government to be held accountable to provide the financial resources that would make effective implementation of these recommendations possible.

Let me be very specific about my concerns. The government's recommendations here on class size put into law the status quo in terms of average class size.

2100

Mr Wildman: I thought only the union bosses wanted the status quo.

Mrs McLeod: The parents and teachers who presented to our committee will tell you that the status quo does not prevent us from having classes of 40 and more. Given that fact, the government is now incorporating in law the status quo for average class size. We know that under current financial arrangements that status quo means that many students are in classes of 40 or more. The reason students are in those size classes and the average class size is lower is not because somehow the teachers have mysteriously disappeared, as the government's backgrounder suggested, but because class sizes in lower grades are kept smaller and therefore classes in the junior, intermediate and senior grades become larger in order to maintain lower class sizes, and because special education classes are kept smaller. There are a host of reasons why some classes must be smaller than the average. So preserving the status quo in legislation is not going to be a comfort to the parents who have raised concerns about class size.

Then take that fact and put it in the context of a government whose stated goal is to take another \$700 million out of education, and you tell me how you can maintain even the status quo in class size and take another \$700 million out of education. The Premier has said that all we have to do is get rid of waste. Well, we know what is already happening. We know the kind of gutting that is going on; we know the kinds of decisions that are being made by school boards just to maintain the current class sizes with the current dollars that are provided. We're seeing the loss of librarians, the loss of special education classes, the loss of adult education, the loss of junior kindergarten. It is going to go on and on. If this government tries to bring this statutory provision even maintaining the status quo on class size into place at the same time as they cut \$700 million out of the education system, everything beyond this average class size will be gutted.

I believe it is absolutely irresponsible to mandate class size with no accompanying accountability for providing the financial resources to ensure that those class sizes can be maintained without gutting the rest of the system.

Preparation time and the issue of preparation time which the government is now incorporating: You have come up with some very specific numbers. The minister tells us that you haven't cut preparation time for secondary school teachers in half; you've maybe only cut it by a third.

This committee heard representation during the committee hearings that the government's numbers in the calculation of preparation time for secondary school teachers in Ontario compared to secondary school teachers in other provinces are completely inaccurate and that if accurate figures were used to calculate preparation time, if the portion of the preparation time of secondary school teachers in Ontario that is actually used for on-call cover-

age is taken out so you're comparing apples to apples, you would find that indeed secondary school teachers in Ontario have no more preparation time than teachers in other jurisdictions.

What happens when you cut it by a third or a half or whatever this number suggests? Again, when you present it like this, an amendment without opportunity for debate or discussion among the people who are affected by it, you don't really get a chance to look at the details of what these calculations of minutes that each teacher is going to have to teach are going to mean.

I go back to some of the presentations we heard at committee. We know the bottom line here. We know the bottom line is that you are going to have fewer teachers. This may not be as many as the 10,000 at this point; it may be something less than 10,000. But it will be fewer teachers teaching more students, more classes. You can't argue against that, because in the earlier part of this clause you've established class sizes as being at the status quo. You are not going to have teachers teach more and keep the teachers that you've freed up to put them into classes to get class sizes smaller, because you've already mandated the average class size at the status quo.

Clearly the teachers who are going to be made redundant by your cutting of preparation time are going to be teachers who are surplus to the system. They are going to be teachers who are lost to the system. We are going to have fewer teachers.

We heard in committee from representatives of small secondary schools, perhaps particularly from representatives of francophone school boards, that having fewer teachers on an already small staff may make it virtually impossible for them to run full secondary school curricula. Has the government looked at this for one moment when they came up with these numbers? Have you looked at any of the impacts of fewer numbers of teachers on small secondary school staff? Do you have any idea what kind of jeopardy you're placing the students in those small schools in by restricting their curriculum or potentially abandoning the constitutional rights to governance that you claim you're putting into place with this bill because you're making effective governance of a system impossible?

I know that you could care less about what cutting preparation time will do to the extracurricular program in our secondary schools. Concerns that were raised by presenter after presenter about the effect of cutting preparation time on our extracurricular programs just washed over the heads of the committee as if it wasn't even registering.

It was bad enough to have it in regulation; it's equally bad to have it in statute when it is presented in such a way that there is no opportunity for discussion, no opportunity for an understanding of the impact, no opportunity for local flexibility in determining what are the interests and needs of the students in those particular jurisdictions, and most particularly no fiscal accountability for a government that is determined to take \$700 million out but wants to be able to preach to the public that it is controlling class sizes

and cutting out redundant use of teacher time. I think this is totally irresponsible.

Mr Wildman: This speaks to one of the main areas of concern with this legislation as it relates to the undemocratic regulatory power. The government now is putting some of that into legislation to try and mute some of that criticism. I think it has raised other problems, some of which have been spoken to by my friend from Fort William.

I'll just make one statement and then I have a number of questions I hope the parliamentary assistant can help us with. I don't think the math works. I don't claim to be a mathematical genius, and I didn't study new math, so you've got to keep that in mind, but the fact is this: If you have less money in the system and you want to take a substantial amount of money out, in education most of the cost is salary. The only way you can get most of that money out is by limiting staff. That means getting rid of teachers. So if you have less money in the system, fewer teachers, you can't limit class size. Class size won't go down. The math doesn't work.

Having said that, I've got some serious concerns here. The parliamentary assistant said the government has responded to the concerns about the regulatory power by putting the numbers in here. We have the statement in legislation, if this is accepted, that every board shall ensure that the average class size in elementary schools doesn't exceed 25, and that in secondary schools it doesn't exceed 22. That's in legislation if this passes. However, the key question is, how do you determine these average class sizes? That remains in regulation. It says here:

"The Lieutenant Governor in Council may, by regulation,

"(a) establish the method to be used by a board to determine the average size of its classes, in the aggregate."

I want to ask a question here. Is it the intention in making these regulations to have average class sizes in aggregate determined across the board jurisdiction or within an individual school?

Mr Smith: The intent, Mr Wildman, as I indicated in my previous comments to Mrs McLeod on the other item, was that there is local flexibility incorporated into this bill, so it will be determined at the board level.

2110

Mr Wildman: So some boards might do it across the board, some might do it by a grouping of schools, and others might do it by individual schools. That's the way it is now.

The problem, as Mrs McLeod said — let's use a hypothetical situation. If you have a special ed class of eight kids in a school and the average is not to exceed 25, then in order to get the average up to 25 from eight, you're going to have some pretty damn big classes.

I'll use another example in my constituency. There is a community in my riding that is halfway between Winnipeg and Toronto, the centre of Ontario, called Hornepayne. Hornepayne has a high school. They are 75 miles by road to Hearst in one direction, where there's a school, and they are 120 miles the other direction to Wawa, where

there is another school. They have their own high school. They have a total this year of 84 students in this high school. There's a grade 12 class of two students. The grade 9 class in English I think has 15 students.

If the new district school board number 2, of which Hornepayne, thanks to your ignorant government — district school board number 2 is the largest geographic board in Ontario now. If it's done across the board jurisdiction, then what you're essentially saying I believe is the end of that high school in Hornepayne, because district school board number 2 will not be able to achieve the average class sizes across their system and maintain these very small classes in Hornepayne.

What does that mean for the students in Hornepayne? It means they are going to eventually have to board out. They're going to have to go out to Wawa and board there during the week and return on the weekend to their homes or they're going to leave altogether and go live with relatives in Barrie or Toronto or wherever to go to school. They're not going to be able to live at home with their parents. That's what this means, and that's what's wrong with doing this the way you're talking about it.

If you were in fact setting maximum class sizes — not average, but maximum class sizes — which is what your advertisements across the province would like to persuade people you're doing, it would still present some problems, but at least it would be responding to the concern of parents who don't want large classes. And it wouldn't mean necessarily that small schools like Hornepayne would be hammered, because you'd be talking about a maximum. If you've got a class of two in grade 12, you'd be well under the maximum.

This doesn't respond adequately, in my view, to local situations which are very foreign to the situation in a large metropolitan centre like Toronto, and it doesn't respond to the concerns of the people in Toronto for special ed programs and other special programs either.

I also have some other questions with regard to the preparation time and classroom teaching time. You say:

"Minimum teaching time, secondary school

"(3) Every board shall ensure that in the aggregate, its classroom teachers in secondary schools are assigned to provide instruction to pupils for an average of at least 1,250 minutes...for each period of five instructional days during the school year."

Can you tell me, do these numbers work in semestered systems?

Mr Smith: In my understanding, Mr Wildman, yes, they will work. It's important to realize, while you go on here for some time, that we're not changing anything on the elementary panel at all and we're simply asking the secondary panel to spend approximately a half-hour more. The surprising part of this for me is that the members — and I say this with respect to you. The motivation of me or my colleagues here is not to dismantle public education in this province. It simply is not that. Who would be motivated by that particular vision?

Mr Wildman: To respond to that, what teacher in his or her right mind would negotiate class sizes up? But that's what you say they want to do.

Mr Smith: What I'm saying is that class size —
Interruption.

The Chair: Excuse me. The four young ladies down there are being disruptive. Would you like to leave? If you cannot control yourselves, please leave. Otherwise, I'll shut the place down.

Please continue, Mr Wildman.

Mr Wildman: The reason I asked that is a very practical one. In a semestered system, you don't have eight periods a day; you have blocks. Sometimes they're an hour, sometimes they're 70 minutes, sometimes they're 50 minutes. The timetabling around these blocks is not as simple as saying "an extra half-hour," because they don't have half-hour blocks. You've got 60-minute blocks, 70-minute blocks, 50-minute blocks. Does it work? As of January 1, will these semestered systems have to completely restructure their programs?

Mr Smith: As I indicated, we have put in place with respect to this particular motion flexibility for the principal in a particular school community. In my opinion, yes, it will work. If you choose to take the position that no, it won't, that's a different thing.

The motivation here, as I was saying before I got interrupted, is not to create a problem with respect to the delivery of education. We're trying to move it ahead into the future, and this is our approach to doing that. You took a different approach and the Liberals have taken a different approach in the past, and I understand what that means to the teaching profession when they speak of consistency in terms of the education system in this province. This is the direction the government has taken in terms of responding to the concerns expressed with respect to regulatory powers and placing it in legislation so people clearly understand what the expectations are, that it not be done behind closed doors by three cabinet ministers signing a regulation.

That's what this is about, and we're making every effort to be up front about it, providing the flexibility where necessary and, notwithstanding your opposition to the Education Improvement Commission, using their expertise — which, I might add, through their Road Ahead report addressed a number of these issues. That particular group conducted substantive consultations with a range of school board officials, parent groups and student council associations across the province. This is not necessarily the brainchild of this government. It's something you talked about as a former minister of the crown yourself and something we're prepared to move ahead and act on. You may not like the way it's presented, but we've tried to clarify and make very clear our intentions with three key, fundamental areas, one of which is the differentiated staffing, which required clarification with the College of Teachers.

That's the viewpoint I have to offer on this particular motion. I think it responds appropriately to the concerns

we heard, and I fully recognize that not everybody is going to be happy with this. I understand that.

2120

Mr Wildman: The reason I raised the question is that I fully understand the government's view that perhaps semestered systems are a thing of the past or should be, that we should be going back to an eight-period day for the whole year, that rather than in the first semester taking four courses and the second semester four courses, you take eight courses all year. That may be what is decided and that will become the norm across the province instead of having differences locally, based on the desires of the local community. But I don't think this does work in semestered systems, and I think that's going to be a problem after January 1.

There are many concerns I have with this, but the other major concern is: "(7) An allocation under subsection (4) or (5) may be made despite any applicable conditions or restrictions in a collective agreement." This basically is taking away the control of class size, preparation time, from negotiations between locally elected school trustees and the local representatives of the teachers, the people who are entrusted by the local community to deal with education matters for their students. This strips the collective agreement in some cases, I guess, and takes it and gives it to a central body here at Queen's Park. It limits what boards and teachers can negotiate, and I think that's most regrettable.

If the government has so much confidence in the Education Improvement Commission — I'll just close by saying one thing here — I really wish they would take the advice of the Education Improvement Commission when it says the government must reinvest any savings in education. The government says they're taking the advice of the Education Improvement Commission where it's convenient, of the Royal Commission on Learning's For the Love of Learning when it's convenient, but you don't take the advice. You don't take it all; you don't take it as a package.

The Education Improvement Commission has said a number of things that teachers and parents in our hearings have disagreed with. They've also said a number of things they agree with. One of them is that you as a government must reinvest every cent that you save in education back into classroom education, and you're not going to do that. The Premier has said that you can take somewhere between \$500 million and \$700 million more out of education. If that's what you're doing, you're not following the advice of the Education Improvement Commission; you're just grabbing money from the education of kids. If you're basing things on the Education Improvement Commission, then do so, but don't cherry-pick.

Mr Crozier: I just want to point out to the committee and to the government that the question of average class size will not only, as my colleague has said, perhaps be the end of a school in Hornepayne, but the same thing can happen in the densely populated area of southwestern Ontario. It could happen in Harrow. We have a high school in Harrow that fits that criterion.

My point is that when you close a school, you don't just take the pupils and move them somewhere else. It's not as simple as that. When you close a school, and in this case the only high school in the community, you start to shut the town down, because people won't move to a community that doesn't have that part of the quality of life that we all look for. So it's not just a simple matter of numbers when it comes to the high school in Harrow; it's a matter of the survival of the town.

I'd like to ask the parliamentary assistant, through all of this, if we take the number of minutes of instruction, if I'm a parent who has a student in high school, will these changes mean that my son or daughter will have more instructional time? Is that what it means?

Mr Smith: The objective is to increase the amount of time that students spend with their teachers in the classroom. That is the objective of this.

Mr Crozier: I see it as where you're going to have teachers spend more time with students —

Mr Wildman: That's right.

Mr Crozier: — but is the student going to spend more time with the teacher? They are totally different equations.

Mr Wildman: That's right.

Mr Crozier: I may not get the answer out of you now. We may find it out later, and it may be too late. In my view, you are going to have teachers spend more time with students, but an individual student is not going to spend more time with the teacher. Then you're affecting classroom education, and that's part of what I disagree with in this whole issue.

Mrs McLeod: My colleague is absolutely right. It may be the objective of the government, Mr Smith, to have more instructional time for teachers with their students, but what you are achieving with this is that teachers will spend more time with more students. There will be less time with each individual student. That's the reality of the changes that you're making in preparation time.

You were right, though, Mr Smith, when you said that different governments take different approaches. I happen to have had the privilege of being part of a government that actually did lower class sizes in grades 1 and 2 and provided the funding to allow that lowering of class size to take place. Your approach is to claim that you're dealing with class size while you cut another \$700 million out of the education system.

Mr Wildman's question on the effect of the preparation time changes on the semestered system deserves an answer. You don't claim to be outlawing semestered systems, but you are making them absolutely unworkable. In a semestered system, the changes you've made to preparation time mean that teachers have to teach three and a half out of four classes. Maybe that means you're going to team-teach the semestered class, the fourth class, or maybe it means you're going to have a secondary school teacher teach four out of four classes one semester and three out of four classes the next semester, in which case the secondary school teacher teaching in the first semester, the semester in which they have four out of four, has

absolutely no preparation time whatsoever. You haven't looked at the impact of that.

This is not workable in a semestered school. If anybody drafting any of this had ever scheduled a secondary school, you would know that is a fact. It's not a matter of opinion. I don't think it's something the government has looked at because I don't think it's something the government cares about.

The Chair: On that note, I don't think we should deal with the matter tonight. We can have an evening to reflect

on it. The time is 9:30. We will adjourn, continuing our consideration of item 49 tomorrow. That's section 81 of the bill.

Mr Wildman: We only have 167 amendments to go.

The Chair: We are adjourning until 3:30 or after orders of the day tomorrow afternoon. Committee room 1 is where we are meeting tomorrow.

The committee adjourned at 2130.

CONTENTS

Monday 17 November 1997

Education Quality Improvement Act, Bill 160, <i>Mr David Johnson</i> / Loi de 1997 sur l'amélioration de la qualité de l'éducation, projet de loi 160, <i>M. David Johnson</i>	J-2797
--	--------

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)
Mr Bruce Crozier (Essex South / -Sud L)
Mr Jim Flaherty (Durham Centre / -Centre PC)
Mr Garry J. Guzzo (Ottawa-Rideau PC)
Mr Peter Kormos (Welland-Thorold ND)
Mr Gerry Martiniuk (Cambridge PC)
Mr David Ramsay (Timiskaming L)
Mr E.J. Douglas Rollins (Quinte PC)
Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Tony Martin (Sault Ste Marie ND)
Mrs Lyn McLeod (Fort William L)
Mr Bruce Smith (Middlesex PC)
Mr R. Gary Stewart (Peterborough PC)
Mr Bud Wildman (Algoma ND)

Also taking part / Autres participants et participantes

Mr John Tomlinson, senior counsel, legal services branch, MET

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Laura Hopkins, legislative counsel

E 120N
AC 11
- 17



J-82

J-82

ISSN 1180-4343

**Legislative Assembly
of Ontario**

First Session, 36th Parliament

**Assemblée législative
de l'Ontario**

Première session, 36^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 18 November 1997

**Journal
des débats
(Hansard)**

Mardi 18 novembre 1997

**Standing committee on
administration of justice**

**Education Quality
Improvement Act, 1997**

**Comité permanent de
l'administration de la justice**

**Loi de 1997 sur l'amélioration
de la qualité de l'éducation**

Chair: Gerry Martiniuk
Clerk: Douglas Arnott

Président : Gerry Martiniuk
Greffier : Douglas Arnott

Hansard on the Internet

Hansard and other documents of the Legislative Assembly can be on your personal computer within hours after each sitting. Our address is:

<http://www.ontla.on.ca/hansard/hansard.htm>

Index inquiries

Reference to a cumulative index of previous issues may be obtained by calling the Hansard Reporting Service indexing staff at 416-325-7410 or 325-3708.

Copies of Hansard

Information regarding purchase of copies of Hansard may be obtained from Publications Ontario, Management Board Secretariat, 50 Grosvenor Street, Toronto, Ontario, M7A 1N8. Phone 416-326-5310, 326-5311 or toll-free 1-800-668-9938.

Le Journal des débats sur Internet

Notre adresse pour faire paraître sur votre ordinateur personnel le Journal et d'autres documents de l'Assemblée législative en quelques heures seulement après la séance :

Renseignements sur l'Index

Il existe un index cumulatif des numéros précédents. Les renseignements qu'il contient sont à votre disposition par téléphone auprès des employés de l'index du Journal des débats au 416-325-7410 ou 325-3708.

Exemplaires du Journal

Pour des exemplaires, veuillez prendre contact avec Publications Ontario, Secrétariat du Conseil de gestion, 50 rue Grosvenor, Toronto (Ontario) M7A 1N8. Par téléphone : 416-326-5310, 326-5311, ou sans frais : 1-800-668-9938.

Hansard Reporting Service
3330 Whitney Block, 99 Wellesley St W
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats
3330 Édifice Whitney ; 99, rue Wellesley ouest
Toronto ON M7A 1A2
Téléphone, 416-325-7400 ; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ADMINISTRATION OF JUSTICECOMITÉ PERMANENT DE
L'ADMINISTRATION DE LA JUSTICE

Tuesday 18 November 1997

Mardi 18 novembre 1997

*The committee met at 1559 in committee room 1.*EDUCATION QUALITY
IMPROVEMENT ACT, 1997LOI DE 1997 SUR L'AMÉLIORATION
DE LA QUALITÉ DE L'ÉDUCATION

Consideration of Bill 160, An Act to reform the education system, protect classroom funding, and enhance accountability, and make other improvements consistent with the Government's education quality agenda, including improved student achievement and regulated class size / Projet de loi 160, Loi visant à réformer le système scolaire, à protéger le financement des classes, à accroître l'obligation de rendre compte et à apporter d'autres améliorations compatibles avec la politique du gouvernement en matière de qualité de l'éducation, y compris l'amélioration du rendement des élèves et la réglementation de l'effectif des classes.

The Chair (Mr Gerry Martiniuk): Good afternoon, ladies and gentlemen and members of the committee. Before we proceed, if I may, I might make a statement.

The standing committee on the administration of justice is called to order. We are considering Bill 160, the Education Quality Improvement Act, 1997. We meet this afternoon to continue clause-by-clause consideration of the bill.

Before we resume, I would remind all members that by order of the House dated Monday, October 6, 1997, at 5 o'clock today, those amendments which have not yet been moved are deemed to have been moved. The Chair is then required to interrupt the proceedings, regardless of where we are with the amendments. At that time there will no be further amendment or debate. The Chair will put every question necessary to dispose of all remaining sections of the bill and any amendments thereto. Any divisions required shall be deferred until all remaining questions have been put and taken in succession. The Chair may allow only one 20-minute waiting period, if requested, pursuant to standing order 127(a).

That is a synopsis, as I understand and as the clerk understands, of the standing order under which we sit here today. There will be a vote in the House and we might be dealing with that later also.

We were dealing —

Interruption.

The Chair: You are totally out of order. Please sit down or I'll have you removed. We are adjourned for five minutes.

The committee recessed from 1601 to 1605.

The Chair: The committee is reconvened. I remind the audience that the rules of this House do not permit demonstrations of any kind by the audience. I will enforce those rules and I will have you removed. If you all persist, I will empty the gallery and proceed as the Speaker did yesterday in the House.

We are now using the time of the opposition because, come 5 o'clock, there is no more debate. Mr Wildman, I do believe you had —

Mr Bud Wildman (Algoma): In light of your previous statement, I would like to move a motion.

In light of the slow progress we made yesterday, reaching only the 49th of 217 amendments to Bill 160, I move that the standing committee on the administration of justice request the House to pass a new time allocation motion to give the committee more time to complete clause-by-clause debate and debate on the amendments properly.

Interruption.

The Chair: That's warning number two.

That is a properly moved motion. Debate is permitted on the motion.

Mr Wildman: Chair, in light of the time, I don't want to use up a lot of time debating this. I think it stands for itself. We have 217 amendments to a bill that's over 200 pages in length. We only got to the 49th amendment yesterday, and there wasn't any delay yesterday. We dealt with most of the amendments quite expeditiously. It's obvious that we can't get 217 amendments dealt with properly by 5 o'clock this afternoon. We won't be able to debate them. We need more time, and that's the reason for the motion to request the House to give the committee more time to do its job properly.

The Chair: Is there any further discussion?

Mrs Lyn McLeod (Fort William): Mr Chairman, I recognize that the motion is likely not to be supported. I recognize that this committee is required to report to the House regardless of the fact that we will have only considered a handful of the amendments proposed even by the government. Even if we were to set aside all of the opposition amendments and just take some time to look at the changes this government believes are needed to its own

bill, we would not have time to consider their amendments before 5 o'clock comes.

I'm wondering if there is some way, recognizing that there is no longer an urgency — I understand that it is not the intention of the government to call this bill for third reading until next week and perhaps even the week after that, so clearly there should be some time for the committee to consider the amendments, at least those amendments proposed by the government, but I believe amendments put forward by all parties.

It's become obvious in the last few days, and particularly yesterday as we began to ask questions about some of the government amendments, that the implications of the amendments, the way in which they will actually work, are not fully understood by the ministry or — I say this based on today's question period — by the minister himself. I wonder if there is not some way in which there could be some suspension of what we are about to do in this committee so there that there can be at least some explanation and review of the government's own amendments.

Mr Garry J. Guzzo (Ottawa-Rideau): Obviously, there's some merit to the suggestion. On the other hand, I think of the time that's been wasted at this committee with the motions we discussed prior to commencing hearing the delegations. I'm wondering how much time the mover is contemplating.

Mr Wildman: If I could answer, Chair, yesterday we dealt with 49 amendments with approximately four and a half hours. There wasn't any real delay on any of those amendments in the debate. There wasn't lengthy debate. We have a total of 217 amendments, most of which are government amendments. If we reach 5 o'clock and have only dealt with a few, then we are faced with the prospect of having to just read the amendment into the record. The parliamentary assistant won't even be able to explain the reason for the government amendments and we'll have to vote immediately, as per the time allocation motion. I would think we would need a couple of days at least. Even then, it would be rushed, but I think we would need a couple of days for the committee to do the job properly.

Mr Guzzo: Mr Speaker, if I could continue, I'm of two minds.

The Chair: I'm a chairman.

Mr Guzzo: Mr Chairman.

The Chair: Thank you.

Mr Guzzo: I have an amendment which I would very much like to have debated, particularly in view of the fact that it's based on the private member's bill that was introduced by the member for Ottawa South —

Mrs McLeod: Chair, if may interject on a point of personal privilege at this committee hearing, I would love to have the chance to discuss Mr Guzzo's cheap political trick. Unfortunately, if you enforce the 5 o'clock rule, which you may be bound to do, I won't get that much-desired opportunity, but I'm not prepared to give the floor to Mr Guzzo without an opportunity for fair debate.

The Chair: Well, there's no discretion on my part. At 5 o'clock, I follow the order of the House. That is my direction. Mr Wildman has made a motion that requests

— it does not in any way bind — the House to give more time to this committee. That's all that's before us.

Mr Wildman: I would call the question, in light of the time, Mr Chair.

The Chair: Fine. All those in favour of Mr Wildman's motion? All those against? The motion fails.

We are at present dealing with item 49. We have had discussions from Mrs McLeod, Mr Wildman and Mr Crozier. Mrs McLeod, is there any further discussion in regard to item 49, which is a motion by Mr Smith to amend section 81 of the bill?

Mrs McLeod: My only further contribution to the discussion — we had quite an intensive discussion last night — is to express my real regret, having asked the Minister of Education and Training in the House just within the last hour what guarantee there would be that there would be lower class sizes as a result of the status quo being enshrined in this legislation. Quite clearly, the government is trying to create the perception that this will lead to lower class sizes. It cannot be done. It particularly cannot be done when you enshrine the status quo and particularly not if you take \$700 million out. We will clearly be voting against both the amendment and this entire section.

The Chair: If there is no further discussion, I'll put the question. All those in favour of Mr Smith's motion? All those against? The motion is carried.

We are proceeding to item 50. Mr Wildman.

Mr Wildman: I move that section 81 of the bill be amended by adding the following section to the Education Act:

"Teaching time

"170.2(1) In this section,

"'classroom teacher' means a teacher who is assigned in a regular timetable to provide instruction to pupils, but does not include a principal, vice-principal, any teacher who is appointed to direct, supervise or assist in directing or supervising an organizational unit, or any teacher appointed to supervise or coordinate subjects or programs or to act as a consultant for the teachers of the subjects or programs.

"Minimum teaching time

"(2) Every board shall ensure that its classroom teachers in elementary schools are assigned at least 1300 minutes of instructional time for each period of five instructional days consisting of not more than 1500 minutes, which maximum shall not be increased.

"Same

"(3) Every board shall ensure that its classroom teachers in secondary schools are assigned to provide no more than 1200 minutes of instructional time for each period of five instructional days consisting of not more than 1600 minutes, which maximum shall not be increased.

"Allocation

"(4) All additional instructional time resulting from this statutory amendment shall be allocated equally across all existing classes.

"Part-time

"(5) For the purposes of subsections (2) and (3), the instructional time for part-time teachers shall be prorated in

accordance with the terms of the applicable collective agreement."

This is put forward as an alternative to the government's position on teaching time. I believe that it has more realistic time frames and ensures equal distribution of time and ensures that there will be proper preparation time for teachers so that they can prepare for classrooms, prepare for students, do marking, consult with parents and other teachers and carry on special assistance to students who need extra help and so on, the kinds of things that we expect teachers to do in order to properly serve our students. It also defines a classroom teacher.

Mr Bruce Smith (Middlesex): In part, I believe the previous government motion that we dealt with and voted on addressed this particular issue. The government's desire and indication with respect to how to address that issue was clearly indicated in that amendment. I am speaking in opposition to this particular motion. I think as well we should be mindful that the previous amendment does allow some flexibility for principals with respect to the allocation of instructional time. There is a relationship to the previous amendment, one which obviously was a government amendment, and I'm speaking in opposition to this particular amendment.

Mrs McLeod: I'm well aware of the previous amendment, which we debated last night. I want to again put on record the fact that the government's amendment, which they passed last night, will ensure the loss of literally thousands of teachers. It will ensure that small schools are so understaffed that they may not be able to continue to offer a full range of programs and in fact in some areas small schools may not be able to operate at all. Their amendment is of particular concern to schools operated by French-language boards, which will find it very, very difficult to offer secondary school programs at all because of the shortage of staff that their secondary schools will have, and it will absolutely gut extra-curricular programs. None of these concerns the government has chosen to address.

Mr Wildman's motion, I believe, had it been accepted by the government, would have been much preferable. I would support it, certainly, although I must also say I truly believe the issue of preparation time can be effectively dealt with at the local collective-bargaining table and should not be in legislation at all.

The Chair: Is there any further discussion? If not, Mr Wildman's motion is to amend section 81 of the bill. All those in favour? All those against? The motion is lost.

The next item, item 51, I believe, Mr Wildman, is out of order, in that it attempts to remove a complete section of the act. That is my understanding. Do we wish to debate it?

Mr Wildman: No. I won't debate it. What we were attempting to do was leave the questions of class size, teaching time and preparation time to be matters be of collective bargaining, but if you rule that out of order, I guess we can't proceed with that.

The Chair: It is out of order. The proper method is to vote against it.

Mr Wildman: Well, I'll certainly do that.

The Chair: The next one, I believe, is not in the form of a motion. Item 52.

Mrs McLeod: We were advised that Mr Wildman's motion would not be in order so we withdrew a similar motion and will be voting against the section.

The Chair: We are now dealing, therefore, with section 81, as amended by one government motion. Any further discussion? All those in favour of section 81, as amended? All those against? Section 81, as amended, carries.

We are moving to section 82, item 53. Mr Smith.

Mr Smith: I move that subsections 82(6) and (7) of the bill be struck out and the following substituted:

"(6) Subsection 171(2) of the act and subsection 171(3) of the act as enacted by the Statutes of Ontario, 1991, chapter 10, section 9, are repealed and the following substituted:

"Powers of boards re: days of work

"(2) A board may require teachers to work during some or all of the five working days preceding the start of the school year.

"Same

"(3) A board may authorize the principal of a school to make determinations respecting the work to be done by teachers of the school during the working days referred to in subsection (2) and the principal shall exercise that discretion subject to the authority of the appropriate supervisory officer.

"Same

"(4) For the purposes of subsections (2) and (3), a working day is a day other than Saturday, Sunday or a holiday as defined in subsection 29(1) of the Interpretation Act.

"Same

"(5) Work that may be required under subsections (2) and (3) includes but is not limited to participation in professional development activities."

Effectively, this particular motion deals with powers of boards with respect to days of work. In particular this amendment is companion to the motion regarding subsection 7(3) of the bill and subsections 11(5), (6) and (6.1) of the Education Act. It allows flexibility to boards with respect to meeting professional development needs.

Mr Wildman: This essentially seems to reintroduce the section on days of work that was removed earlier. Is that correct?

Mr Smith: There's a reference back to the motion on section 7(3) of the bill, so we've previously dealt with it.

1620

Mr Wildman: While you're looking, it's my understanding this is to deal with professional development days. It also will make it possible to require teachers to begin working in the schools five days before Labour Day, which is already the practice. Most teachers do this anyway. Initially the government's intention was to require students to be in the schools five days in advance, but the government has backed off on that, so at least it's an improvement there. But does it refer to 7(3)?

Mr Smith: The relevant section is 7(3). Effectively what happened with that was that we removed the original proposed regulatory power and through this amendment —

Mr Wildman: So we're putting this in the legislation.

Mr Smith: Entrenched in legislation, granting the flexibility to the boards.

Mr Wildman: My view is that this still should be determined at the local level by boards and teachers and parent councils. We prefer it to be in legislation rather than in regulation, but the preferable approach would be to decide these matters at the local level.

Mrs McLeod: I find it as objectionable a clause as I did when it was first presented in an earlier part of the bill.

This all began because the previous Minister of Education decided that students were going to spend more days in school and have more instructional days, so he was going to bring them back in the summer. He found, somewhat to his surprise, that that was not a popular idea with a great many parents as well as students.

I guess the real goal of the minister at that point in time was to somehow create this impression that teachers were overpaid and underworked because, after all, most of this is an attack on teachers. You had to leave something in the bill that would make teachers work harder, so we have a legislative requirement that a board may require teachers to work during some or all of the five working days preceding the start of the school year. You know very well that teachers are coming in in those five days anyway.

When you did the firefighters' bill, you took away their right to strike, a right they had not exercised in 50 years. It was an offensive, gratuitous slap in the face, and so is this to teachers.

The Chair: Is there any further discussion? If not, we have Mr Smith's motion to amend section 82(6) and (7). All those in favour of that amendment? All those against? The amendment carries.

Is there any discussion of section 82, as amended? If not, I'll put the question. All those in favour of section 82, as amended? All those against? Section 82, as amended, is carried.

We're moving to item 54.

Mr Smith: I move that subsection 171.1(4) of the Education Act, as set out in subsection 83(3) of the bill, be struck out and the following substituted:

"Limitation re joint investment agreements

"(4) No agreement entered into under this section for the joint investment of funds may,

"(a) affect an education development charges account established under an education development charge bylaw to which section 257.103 applies; or

"(b) provide for investment by a board that is not permitted by clause 241(1)(a)."

Effectively, this particular motion replaces reference to an education development charge account, with provisions allowing for continuing to prevent withdrawal from an old EDC account for joint investment purposes. The rationale for this particular amendment is that EDC accounts estab-

lished under the current Development Charges Act are joint accounts held by coterminous boards and these accounts would be wound down by March 31, 1999.

Mr Wildman: I just have a question. You will recall during the public hearings that the representative of the Urban Development Institute appeared before us to raise questions about changes to the development charges themselves. Does this section in any way relate to that issue or is there another amendment which was improperly filed by the government that doesn't meet the desires of the Urban Development Institute?

Mr Smith: This amendment does not relate to the question at hand, but as you know, Mr Wildman, under motion 57, there's an item that needs to be dealt with with respect to that particular amendment to which you referred. That amendment, if ruled appropriate, would address the concerns identified by UDI.

The Chair: If there is no further discussion on Mr Smith's motion to amend section 83(3), I'll call the question. All those in favour? All those against? The motion is carried.

Shall section 83, as amended, carry? All those in favour? All those against? Carried.

We are now dealing with sections 84, 85 and 86. Is there any discussion or questions in regard to those three sections which have no amendments? If not, I'll put the question. Shall sections 84, 85 and 86 carry? Against? They are carried.

We are now dealing with section 87, item 55.

Mr Smith: I move that subsections 178(4) and (5) of the Education Act, as set out in section 87 of the bill, be struck out and the following substituted:

"Rights continued

"(4) Where a person has rights under this section in relation to an old board and the old board is amalgamated or merged with a district school board under part II.2, the rights of the person are the same immediately after the amalgamation or merger as they were immediately before the amalgamation or merger and, for the purpose, the district school board stands in the place of the old board."

This particular amendment and motion has been submitted with respect to clarifying the continuation of individuals' rights to participate in the OMERS pension on transfer to a new board. It clarifies that right for some non-professional staff to continue to participate in the OMERS pension after the amalgamation if someone has had rights prior to that amalgamation.

Mr Wildman: Again the government has been most helpful in giving us the wrong amendment drafted, so that we have the note from the people who worked on the amendment. Again, I appreciate that assistance to the opposition. It says here, "This motion should be reviewed by the people developing the merger and transfer processes." My question is simple: Has it been reviewed by the people developing the merger and transfer process, and who are these people?

Mr Smith: I can speak to the amendment. The objective, as I indicated in the amendment, was to protect the rights of those individuals currently in the OMERS pen-

sion plan affected by an amalgamation. That is the intent and direction of this particular amendment and motion.

The Chair: We have a motion made by Mr Smith to amend section 87. All those in favour? All those against? It is carried.

Shall section 87, as amended, carry? All those in favour? All those against? Carried.

There are no amendments to 88. Is there any discussion with regard to section 88? If not, I'll put the question. Shall section 88 carry? All those in favour? Against. Section 88 is carried.

Dealing with sections 89 to 94, inclusive, is there any discussion or questions in regard to sections 89 to 94, inclusive? If not, I'll put the question. Shall sections 89 to 94, inclusive, carry? All those in favour? Against? They are carried.

Now dealing with section 95, item 56, which is a government amendment.

Mr Smith: I move that section 188 of the Education Act, as amended in section 95 of the bill, be further amended by adding the following subsection:

"Same

"(6.1) A regulation under this section may provide that all persons, or one or more classes of persons, appointed under this section shall be deemed to be elected members of the board, for all purposes or for such purposes as are specified in the regulation."

This particular motion amends regulation-making powers regarding the interests of members of bands to allow flexibility to implement Education Improvement Commission recommendations on native trustees.

1630

Mr Wildman: This is a really crucial amendment in regard to the lack of planning in advance that the government had when it brought in Bill 104 creating the new district school boards. They did not work out at that time during the debate on that legislation how first nations would be properly represented on boards. First nations in most cases have tuition agreements with local boards to provide education for their children. Obviously they should have a say on how those tuition funds are spent, so they have one representative appointed to the board. Now that we're amalgamating a lot of boards, so that in our area, for instance, you have very large geographic boards, there may be as many as 10 or 12 different first nations within the jurisdiction of one board. You say you want to allow flexibility, but how are they going to determine who is going to represent the first nations on a board?

We had a presentation in Ottawa from a representative of, I think it was, the Six Nations who indicated that he obviously couldn't speak for the chiefs but he didn't think first nations would be satisfied with the situation where there were 10 or 12 different first nations within the jurisdiction of one of these enormous geographic boards you've established and having only one representative, particularly if they happen to be of different ethnic groups within the first nations.

For instance, we raised with him the possibility that in the area of Six Nations you might have a board that covers

some first nations who are Iroquoian, they might be Oneida, for instance, and some who are Ojibway — different cultures, different languages, different traditions — and they will not want to have one representative who is an Ojibway representing both the Ojibway First Nation and the Iroquoian.

It's the same in my area, where you could indeed have a situation where you would have some Cree communities and some Ojibway communities and they would be represented by only one person. You might argue that Ojicree peoples are more closely related than Iroquoian and Ojibway — that's certainly true — but they still have differences in language and culture.

I want to know, how is this going to be implemented? What does this section mean? How are you going to deal with this? I understand there are three options that the government has put forward: (1) that you could have only one band representative on a board and that would be it; (2) that you could rotate the representation, which I think would probably be a bad idea; (3) that there could be more than one band representative on a board. If so, what is the maximum? Could the parliamentary assistant please enlighten us about how this is going to be implemented and what it will mean for the new district boards.

Mr Smith: I think you raise an important point in terms of the challenges that are currently before us with respect to this particular issue. The objective is that there would be a regulation in place for January 1, 1998, that would maintain the status quo for native trustees as per section 188 of the Education Act.

Mr Wildman: So only one.

Mr Smith: Certainly in the interim, though, the Education Improvement Commission has been charged with the responsibility of specifically addressing the issues you've raised with the native community in an effort to resolve any areas of concern. My understanding is that consultation is in process with the Education Improvement Commission.

The Chair: If there's no further discussion, we have Mr Smith's motion to amend section 95. All those in favour? All those against? The motion is carried.

Mrs McLeod: Mr Chairman, on a point of order: I'm aware of the fact that we're into our last 25 minutes for the consideration of amendments. I think it's significant and important for the deliberations of the committee to know that the Minister of Education is next door in the estimates committee and he has just informed the estimates committee that it's the intention of the government to have the tax-setting power given in this legislation to the cabinet used by cabinet only during a transitional period. That statement of the Minister of Education is clearly at odds with the legislation that's before us now.

I think it would be important for us to deal with that issue immediately, perhaps to recess. I don't know whether there can be an extension of time so that there can be some conference with the Minister of Education, because if he is making that statement now, then you need to bring in amendments in some way.

We have an amendment before the committee, number 80, in which we strongly recommend that there be no setting of taxes through the regulatory process, that it be done exclusively by statute. What the minister has said next door is clearly of consequence for this legislation and I believe we must find out what the government's intention is and why that intention is not incorporated in the legislation.

The Chair: I'm a little bewildered. They can deal with it by going to committee of the whole. Our amendments are presently before us. We cannot deal with amendments that have not been filed —

Mr Wildman: He doesn't know whether it is or not.

The Chair: I don't know —

Mr Wildman: The time allocation motion does not allow for committee of the whole debate.

Mrs McLeod: I'm deeply concerned, Mr Chairman. We're trying to go through a process here of dealing with legislation, including government amendments, and we have the Minister of Education, whose bill this is, in a room next door telling us it is not their intention to use this piece of legislation for other than the transitional period. But the power given under the legislation is not limited in that way.

Mr Wildman: Can the parliamentary assistant give us some clarification of this matter?

The Chair: It's not a motion yet. Is that a question of the parliamentary assistant?

Mrs McLeod: It's a point of order. I feel as though the process we're going through had some very serious questions raised on one of the most significant issues that we've not yet reached the amendment process on. I know that we only have 20 minutes left.

Mr Smith: I don't have the benefit of the presentation that the minister is making next door, so for me to comment on that particular item — other than to suggest that very clearly we've made our indication, the government's made its indication to set property tax mill rates. It's made its indication to freeze those tax rates, and certainly during the transition period it's been indicated that would be done through regulation. If I'm understanding you correctly, you have concerns that this would be moved to statute at a later date. Clearly that's my understanding of what the intention is to do at some point in the future.

Mrs McLeod: Then why is that not in the government's legislation? Why is the legislation not reflective of the government intent?

Mr Smith: I think I answered that. With respect to the transition period that we're moving through, it was decided that we would deal with it through the regulatory powers and in the longer term through statute.

Mrs McLeod: This legislation is full of clauses which apply specifically to the transitional period and limit the powers to that transitional period. Why would that limitation not be put in on the specific and most significant issue of the taxation powers of cabinet? This is one of the most unprecedented aspects of this entire piece of legislation, that the cabinet will have the power to set tax rates.

I know it is a concern for members of the Conservative caucus. We're, first of all, not going to get a chance to deal with it in committee, and at the same time that it's going to be passed without any discussion in this committee, the minister is next door telling us that he is in fact intending to use it in a way which is limited and yet that limitation is not reflected.

I would ask that we invite the Minister of Education to come immediately, in our last 15 minutes, and speak to us in the same way that he's speaking to the estimates committee next door.

Mr Wildman: Can I make the point that this would have been resolved in two manners. One was, if the committee had accepted my amendment that would have split this legislation into three, we could have dealt with these in a more orderly fashion. Second, it is quite out of order and contrary to parliamentary tradition that we are carrying on in committee two debates about a single policy area at the same time, with the minister in one committee and the parliamentary assistant in the other. It is completely against the tradition of this place that this should happen. We asked for unanimous consent to avoid it and the government House leader denied it. It is completely inappropriate and puts the parliamentary assistant in a very difficult position to have to answer for statements being made next door in another committee by the minister which appear to be contrary or contradictory to what the legislation itself, that we are dealing with, says.

The Chair: If I'm dealing with a point of order, I find nothing out of order. We do not yet have a motion to recess, which would be your next step. I'm not advising that.

Mrs McLeod: May I ask for unanimous consent to invite the Minister of Education to speak to us and explain to us what he has presented to the committee next door.

1640

The Chair: Mrs McLeod has asked the committee for unanimous consent to invite the minister to attend this committee. Do I have unanimous consent? I hear some nos. I do not have unanimous consent, Mrs McLeod.

Mrs McLeod: As long as we are going to get contradictory statements from the minister in one room while we're trying to deal with his legislation and his amendments in this room, then this whole thing is such a farce that I don't know if there's any point in continuing to participate.

The Chair: We are now dealing with a government amendment to section —

Interruption.

The Chair: Order, please. If you cannot control yourselves and show a lack of self-discipline, I'd invite you to leave the room. I'd invite you to leave, ma'am. Would you please leave, ma'am.

Mr Wildman: We're going next door to get an answer.

Interruption.

The Chair: Okay. Please leave. Thank you very much. I really appreciate your cooperation in leaving. Thank you, ma'am. You are disrupting the meeting. We are continu-

ing. I'd ask you to move, ma'am. Please leave. I'd ask you to leave, ma'am. I'd ask her to be removed then, please.

Interruption.

The Chair: I'd ask you to leave too, ma'am. If this is continuing, I'll ask the whole gallery to be cleared. This is my third —

Interruption.

The Chair: Yes, the Speaker did it this afternoon, and I'll do it again. Please leave, ma'am. You're obstructing the meeting, ma'am. Please leave.

Interruption.

Mr Peter Kormos (Welland-Thorold): Mr Chair, is this how the government deals with something, by —

The Chair: You're not helping things, Mr Kormos.

Interruption.

The Chair: We are dealing with item 56, I believe.

Mrs McLeod: On a point of order, Mr Chair: I think the committee should know we've asked the Minister of Education whether he would come and speak to this committee. He will not. We've asked him whether he would at least repeat the statement that was made to the estimates committee. He says it is a matter of record for Hansard and he will not. In my view, it is completely impossible for us to proceed in a responsible manner to deal with government legislation when the minister will not even attempt to clarify his intention.

The Chair: Thank you for that information. We are dealing with item 56, a motion brought by Mr Smith amending section 95. Is there any further discussion regarding that amendment?

I'm sorry, we're dealing with section 95, as amended. I've already carried item 56.

Shall section 95, as amended, carry? All those in favour? All those against? It is carried.

We are now dealing with sections 96 to 100, inclusive. Is there any discussion or questions in regard to sections 96 to 100, inclusive? If not, all those in favour? All those against? They are carried.

We're now dealing with section 101, item 57. Mr Smith.

Mr Smith: I move that section 195 of the Education Act, as amended in section 95 of the bill, be further amended by adding the following subsections:

"Regulations re land reserved for use as a school site

"(7) The minister may make regulations

"(a) respecting the length of the extension under subsection 51(25.2);

"(b) prescribing conditions for the purposes of subsection 51(25.3) of the Planning Act.

"Same

"(8) Without limiting the generality of clause (7)(b), regulations made under that clause may prescribe conditions that include a requirement that the board make a non-refundable deposit.

"Same

"(9) Subsections 194(3.5) and (3.6) apply to regulations made under subsection (7)."

The Chair: Any discussion? If not, shall the amendment carry? All those in favour? All those against? The amendment is carried.

I now put the question. Shall section 101, as amended, carry? All those in favour? All those against? It is carried.

Interruption.

The Chair: Ma'am, if you cannot control yourself, please leave. Please leave, ma'am. You're not entitled to ask questions here because you don't represent anybody except yourself. The people in this room each represent 100,000 people. Simple answer: Please leave or be quiet.

Sections 102 to 106: All those in favour? Carried.

We're now dealing with an amendment to section 107, item 58. Mr Smith.

Mr Smith: I move that section 208.1 of the Education Act, as set out in section 107 of the bill, be amended by adding the following subsections:

"Same

"(3) A regulation under subsection (1) may provide for participation through electronic means by members of the board, pupil representatives and members of the public.

"Same

"(4) In a regulation under this section, the Lieutenant Governor in Council may provide for any matter by authorizing a board to develop and implement a policy with respect to the matter.

"Same

"(5) The minimum requirements specified in section 230 for physical presence in the meeting room of a board shall not be interpreted to prevent a higher minimum being provided for under this section."

1650

The Chair: Shall the amendment carry? All those in favour? It is carried.

Shall section 107, as amended, carry? All those in favour? It is carried.

I put the question: Shall sections 108 to 111, inclusive, carry? All those in favour?

Interruption.

The Chair: Carried. Again, ma'am, if you cannot control yourself, if you have such a lack of self-discipline, I'd ask you to remove yourself from the room. It's a simple request.

Interruption.

The Chair: Section 112. I'll have you removed if you don't.

Interruption.

The Chair: I'd ask for the lady to be removed. She cannot control herself. That's unfortunate.

Interruption.

The Chair: No, you'll be removed, ma'am.

Section 112.

Mr Smith: I move that section 220 of the Education Act, as set out in section 112 of the bill, be struck out.

Interruption.

The Chair: Thank you, ma'am.

We're now dealing with item 59, Mr Wildman. A motion has been made amending section 112. Is there any

discussion? If not, shall the amendment carry? All those in favour? All those against? The amendment is carried.

Item 60, Mr Smith.

Mr Smith: I move that section 222 of the Education Act, as set out in subsection 112 of the bill, be amended by adding the following subsection:

"Notice re clause (1)(b)

"(3.1) Where clause (1)(b) applies, the secretary of the board shall promptly send to the clerk of the appropriate municipality a notice that clause (1)(b) applies and the notice shall be deemed to be a resolution indicating a by-election is required for the purposes of section 65 of the Municipal Elections Act, 1996."

The Chair: Is there any discussion or questions in regard to Mr Smith's amendment? All those in favour of the amendment? All those against? The amendment is carried.

I now put the question. Shall section 112, as amended, carry? All those in favour? All those against? Carried.

Section 113, page 61.

Mr Smith: I move that subsection 231(6) of the Education Act, as set out in subsection 113(1) of the bill, be struck out and the following substituted:

"Reserve fund money

"(6) Subject to section 241, the money held in a reserve fund by a board shall not be expended, pledged or applied to any purpose other than that for which the fund was established without the approval of the minister.

"Same

"(6.1) Subsections 163(2.2), (2.3) and (4) of the Municipal Act do not apply with respect to the money.

"Same

"(6.2) The money allocated to a reserve fund shall be paid into a special account.

"Same

"(6.3) Instead of keeping a separate account for each reserve fund, a board may keep a consolidated account in which there may be deposited the money allocated to all reserve funds established by the board.

"Same

"(6.4) The consolidated account shall be kept in a way that permits the true state of each reserve fund to be determined."

The Chair: Are there any questions? If not, all those in favour? Carried.

Page 62, Mr Smith.

Mr Smith: I move that subsection 233(1) of the Education Act, as set out in subsection 113(1) of the bill, be struck out and the following substituted:

"Reserve following strike, lockout

"(1) Where, in any fiscal year, any money that was provided in the estimates of a board for payment of salaries and wages of teachers and other employees in relation to employment in that year is not paid by reason of a strike by or lockout of the teachers and other employees, or any of them, an amount of money calculated in accordance with the regulations shall in that fiscal year be placed in a reserve.

"Same

"(1.1) The amount in the reserve at the end of the fiscal year shall be brought into the general revenues of the board for that fiscal year."

The Chair: If there are no questions, I'll put the question. Shall the amendment carry? All those in favour? All those against? The amendment is carried.

Page 63.

Mr Smith: I move that section 234 of the Education Act, as set out in subsection 113(1) of the bill, be amended by adding the following subsection:

"Same

"(11.1) Despite subsection (11), where special circumstances exist in respect of one or more boards, a regulation may be made under subsection (10) in respect of the board or boards until August 31, 2003."

The Chair: Any questions? If not, I'll put the question. Shall the amendment carry? All those in favour? Against? The amendment is carried.

Page 64.

Mr Smith: I move that subsection 237(13) of the Education Act, as set out in subsection 113(1) of the bill, be struck out and the following substituted:

"Application of ss (9), (10), (11), (14), (15) and (16)

"(13) Subsections (9), (10), (11), (14), (15) and (16) apply with necessary modifications to a notice given under subsection (12)."

The Chair: According to my watch, and that's what we started with, there are four minutes of debate before the magic hour of 5 pm. Are there any questions or matters you wish to raise at this time?

Mr Wildman: Then the parliamentary assistant turns into a pumpkin.

The Chair: Thank you, Mr Wildman.

Mrs McLeod: I think we're all aware that there were some errors made by the government in tabling its amendments. I'm not sure what three of the errors were. It may not be important enough for the government to seek consent to introduce the amendments that could not be considered by committee. We've had no representation, at least from the government, Mr Smith, to consider amendments which we've not seen, but there is one which we've been made aware of not by the government but by concerned representatives, that would require, I believe, the unanimous consent of the committee. I'm wondering whether or not that has to be done before the hour of 5 o'clock.

Mr Wildman: I don't think we can do it after 5.

The Chair: I don't think you can do it any time, can you?

Mr Wildman: I don't think we can do it under the time allocation motion.

The Chair: After 5, no, and I would have to see the amendment to determine whether it's appropriate or not.

Mrs McLeod: I'm really surprised at this. I thought the government was seeking this, that they were, to say the least, embarrassed by the fact that it was erroneously omitted. I know this is an amendment which has the support of both separate school boards and public school boards, as well as the Urban Development Institute. I had

assumed there was all-party agreement to consider a friendly amendment to allow this to go forward, but obviously the government was not party to that.

Mr Smith: This, if I may, Mr Chair, relates to a motion contained on page 196. If there's all-party agreement, we can certainly address that issue at this point in time.

Mrs McLeod: Was it not the government's intention to seek all-party agreement on this?

Mr Smith: It was. My understanding was we were going to deal with the item contained on 57 and deal with the matter when we approached the motion contained on page 196, but apparently there's some difficulty with that, which is procedurally contrary to what I was advised.

Mrs McLeod: Does that mean you're picking it up in time?

Mr Smith: Thank you, Mrs McLeod.

Interjections.

The Chair: We were dealing with it. It matters not whether it's before or after 5 pm. The request was for the Chair to consider whether by unanimous consent this committee could in fact amend the order of the House, which states very clearly that amendments have to be filed by a certain date and time, that time and date having long since lapsed. This committee, in my opinion, has no authority to amend an order of the House and I cannot even put the unanimous consent motion, whether it's 5 o'clock or not.

1700

Mrs McLeod: So there can't even be a friendly motion? I thought if we did it before 5 o'clock, there could be a friendly amendment to the amendment.

The Chair: My understanding, after consulting with the clerk, is that we do not have the power to overrule an order of the House. We are merely a committee, a creature of the House. So we can deal with that later or now, but that will be the ruling.

Mr Wildman: So if the government House leader had agreed to our proposal to extend the deadline for amendments by a new time allocation motion, thus setting a new order of the House, we could have resolved this matter.

The Chair: Yes, and the time is now 5 o'clock. I am to proceed, pursuant to the orders, in putting questions presently before us. They are deemed to have been read, and I believe we're dealing with 64.

I put the question: Shall the amendment contained on page 64, an amendment to 113(1) of the act, carry? It is carried.

Shall the motion contained on page 66, being an amendment to 113(1), carry? Carried.

Shall the amendment contained on page 67 carry? Carried.

Shall the amendment contained on page 68 carry? Carried.

Shall the amendment contained on page 69 carry?

Mr Wildman: On a point of order, Chair: I understand the problem you have, but wouldn't it be in order at least to read the amendments into the record so that we know

properly what we're voting on? I'm not trying to make it difficult for you.

The Chair: I did consider that this afternoon. If you'll recall our earlier discussion, we were talking about whether we could deem as a committee that we read them into the record, and as a committee we could not. However, the provision of the order, as I understand it — and we discussed that this afternoon; the clerk sought instructions — is that all amendments have been deemed to have been made and therefore do not have to be read into the record. I'll slow down. I think that's fair, but that's about all I can do.

Mr Wildman: I appreciate it. It makes it a bit of a farce this way.

Mrs McLeod: Mr Chairman, one of the questions that one of the people in the audience had asked me to raise earlier was to ask you to explain the process of democracy that's at work here. I don't know whether it has become apparent now, but I think it should be explained, the process that we're in and the way in which the time allocation motion has forced us to stop any further consideration, even the reading of these amendments.

The Chair: That's why I read the statement at the beginning. Perhaps people did not understand. However, this committee is presently operating under the order of the Legislature of Ontario, and that order provides that in the event that the committee did not finish its debate and the amendments and the sections by 5 o'clock this afternoon, I as the Chair was instructed to proceed without any further debate and merely refer the matter for a vote without any further comment. That is the method. We're proceeding at this time.

Mr Wildman: I'd appreciate it if you'd go a little bit slower. I know it's a difficult role that you're playing here.

The Chair: I want to accommodate the committee. Just tell me when I'm going too fast or too slow.

We're dealing with page 70, an amendment to subsection 113(1): All those in favour? All those against? The amendment is carried.

Page 71, an amendment to subsection 113(1) of the bill: All those in favour? All those against? It is carried.

Page 72, an amendment to subsection 113(1) of the bill: All those in favour? All those against? The amendment is carried.

Page 73, a government motion: All those in favour? All those against? It is carried.

Page 74, a government motion: All those in favour? All those against? Carried.

Page 75, a government motion: All those in favour? All those against? Carried.

Page 76, a motion of the third party, the NDP: All those in favour?

Mr Wildman: It's to get rid of another Henry VIII clause.

The Chair: That amendment on page 76 is carried.

Mr Wildman: Hallelujah.

The Chair: Page 77, a government motion: All those in favour? All those against? Carried.

Page 78: All those in favour? All those against? Carried.

Page 79, a government motion: All those in favour? All those against? Carried.

Page 80, a motion by the loyal opposition: All those in favour? All those against? It's lost.

We're dealing with page 81, a government motion to amend subsection 113(2). All those in favour?

Interjection.

The Chair: We're dealing with page 81?

Mr Smith: That's correct.

The Chair: All those in favour?

Mr E.J. Douglas Rollins (Quinte): Call "Those opposed."

The Chair: All those against? Defeated.

Interjections.

Mr Wildman: The government is voting against its own motion.

The Chair: Sometimes I wish I could attend briefing meetings, and I might know what's going on; I can't.

Page 82, a government motion: All those in favour? All those against? Carried.

Page 83, a government motion amending subsection 113(2): All those in favour? All those against? It is carried.

Page 84, a government motion amending subsection 113(2): All those in favour? All those against? It is carried.

Page 85, a government motion amending subsection 113(2): All those in favour? All those against? It is carried.

Page 86, a government motion amending subsection 113(2): All those in favour?

Mr Wildman: On a point of order, Chair: I understand we're under an order of the House here, but do you have the right to rule on whether a motion is in order under this order of the House? It seems to me that this is out of order.

Mrs McLeod: Mr Chairman, in order to be helpful, this is one where the ministry's own briefing note says, "This may be ruled out of order, though a good argument could be made that it is in order," but since we can't debate, we cannot hear the argument that would make it in order.

Mr Wildman: We can't make those arguments, but surely the Chair has the right to rule on whether or not it's in order.

The Chair: Shortly, it is in order, after consulting both with legislative counsel and our clerk.

Mr Wildman: It would have been such a good argument.

1710

The Chair: We are dealing with page 86, a government motion. All those in favour? All those against? It is carried.

Page 87, a government motion amending subsection 113(2): All those in favour? All those against? It is carried.

Page 88, a government motion amending subsection 113(4) — I'm sorry. It's a motion of the loyal opposition,

a Liberal motion amending subsection 113(4). All those in favour? All those against? It is lost.

Page 89 is an opposition motion amending subsection 113(4). All those in favour? All those against? It is lost.

Page 90, a motion deemed to be Mr Wildman's: All those in favour? All those against? It is lost.

Page 91, another NDP motion: All those in favour? All those against? It is lost.

Mr Wildman: This next one is another Henry VIII clause.

The Chair: Page 92, an NDP amendment to subsection 113(4): All those in favour? All those against? It is lost.

Mr Wildman: I'd like to hear why you voted for one and not the other.

The Chair: Page 93, a government motion amending subsection 113(5): All those in favour? All those against? It is carried.

Page 94, a government motion amending subsection 113(5): All those in favour? All those against? It is carried.

Page 95, a government amendment to subsection 113(5): All those in favour? All those against? It is carried.

Page 96, a government motion amending subsection 113(5): All those in favour? All those against? It is carried.

Page 97, a government motion amending subsection 113(5): All those in favour? All those against? Carried.

Page 98, a government motion amending subsection 113(5): All those in favour? All those against? Carried.

Page 99, an NDP motion to amend 113(5): All those in favour? It is carried.

Page 100, a Liberal motion amending 113(6): All those in favour? All those against? It fails.

I believe the next one is the same and therefore is out of order; that is, page 101 is out of order.

We are proceeding to page 102, an NDP motion amending 113(6) — excuse me. I am advised that the NDP motion contained on page 102 is out of order. It is contrary to the standing orders.

Mr Wildman: I wish I hadn't raised this question before.

The Chair: That is out of order. We do not deal with it.

I now put the question. Shall section 113, as amended, carry? All those in favour? All those against? Section 113, as amended, carries.

Section 114: Our first amendment is an NDP amendment contained on page 103 to section 114 of the bill. Shall the NDP motion carry? Against? The motion is lost.

Page 104, a government motion amending section 114: Shall it carry? Against? It carries.

I now put the question. Shall section 114, as amended, carry? All those in favour? Against? It carries.

Shall section 115 carry? All those in favour? It is carried.

Mrs McLeod: Did you leave out "against"?

The Chair: I'm sorry. You're quite right, Mrs McLeod. Those against? It is carried.

You're going to have to bear with me for a moment.

Mrs McLeod: That's quite all right.

The Chair: I stand corrected at any time and I thank you —

Mrs McLeod: There are minimal democratic rights we're going to hang on to.

The Chair: You're quite right.

We are now dealing with page 105, a government motion amending subsection 116(6). All those in favour? All those against? Carried.

We now have, on page 106, an NDP motion amending 116(7). All those in favour? All those against? It is lost.

I now put the question. Shall section 116, as amended, carry? All those in favour? All those against? It is carried.

We're now dealing with page 107. That is an NDP motion amending section 117 of the bill. All those in favour? All those against? The motion is lost.

I now put the question. Shall section 117 carry? All those in favour? All those against? It carries.

Mr Smith: No, it's lost.

The Chair: Oh, I'm sorry. I put the question, "Shall section 117" —

Mr Smith: What was called, Mr Chair?

The Chair: I called firstly for page 107, which was an amendment by Mr Wildman, and that was lost. I then called for section 117, and I thought that passed. Let's do it again.

Shall section 117 carry? All those in favour? All those against? It was carried.

Mr Wildman: You'd better slow down.

The Chair: I shall slow down. We are now dealing with a government motion contained on page 108, and I understand that is not a motion.

Mrs McLeod: It's a recommendation.

The Chair: It's a recommendation, it's not a motion. It's not in order.

We then have 109, which again is not a motion and is not in order.

We are therefore dealing with section 118, not amended in any manner whatsoever. Shall it carry? All those against? It fails. We've lost section 118.

We are now dealing with sections 119 and 120. Shall they carry? All those for? All those against? Sections 119 and 120 carry.

We then have a new section on page 110 which is created by a Liberal motion. Shall the new section 120.1 carry? Against? It is lost.

On page 111, we have a motion which is not a motion and is out of order.

I would then put the question. Shall section 121 carry? All those in favour? All those against? It carries.

1720

We then have an NDP motion to amend section 122, contained on page 112. All those in favour of the NDP motion to amend? All those against? The motion is lost.

We're proceeding to page 113, an NDP motion amending subsection 122(2). All those in favour? All those against? It is lost.

Shall section 122 carry? All those in favour? All those against? It carries.

We're now on page 114, a government motion amending section 123. Shall it carry? Against? It carries.

On page 115 there is a Liberal motion and on page 116 an NDP motion which are identical to the motion we just passed. Are they both withdrawn? Thank you very much.

We are then proceeding to page 117, a Liberal motion amending section 123. Shall it carry? Against? The motion is lost.

Page 118, an NDP motion to amend section 123. Shall it carry? Against? It is lost.

Page 119 is a government motion amending section 123. Shall it carry? Against? The amendment carries.

Page 120 is a government motion amending section 123. All those in favour? All those against? It carries.

Page 121 is a government motion amending section 123. All those in favour? All those against? It carries.

Mr Wildman: Just as a matter of interest, Chair, I would perhaps have been able to vote for this if I'd known what it meant, but because of this procedure, we can't ask any questions and we can't get any answers.

The Chair: Page 122 is a government motion amending section 123. Shall it carry? All those against? It carries.

Page 123 is a Liberal motion amending section 123. All those in favour? All those against? It is lost.

Mr Wildman: The next one is the same. I'll withdraw it.

The Chair: Okay. Page 124, an NDP motion, is withdrawn.

Page 125 is a Liberal motion amending section 123. All those in favour? All those against? The motion is lost.

Page 126 is —

Mr Wildman: It's the same as the previous one. I'll withdraw it.

The Chair: It is withdrawn. Thank you, Mr Wildman.

Page 127 is a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 128 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 129a is a government motion to amend section 123. All those in favour? All those against? The amendment is carried.

Page 130a is a government motion to amend section 123. All those in favour? All those against? The motion is carried.

Page 131 is a Liberal motion amending section 123. All those in favour? All those against? The motion is lost.

Page 132 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 133 is a government motion to amend section 123. All those in favour? All those against?

Mr Wildman: I'm intrigued. All three amendments are the same. They're the same. I don't understand this.

The Chair: We're dealing with page 133, a government motion to amend section 123. All those in favour? All those against? It carries.

Page 134 is a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 135 is an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 136 is a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 137 is an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 138 is an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 139 is a government motion to amend section 123. All those in favour? All those against? The motion carries.

Page 140 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Pages 141a and b are a government motion to amend section 123. All those in favour? All those against? The motion carries.

Page 142 is a motion made by Mr Guzzo amending section 123. All those in favour? All those against?

Mr Guzzo: A recorded vote, please.

The Chair: Okay. We are dealing with page 142, which is a motion. Mr Guzzo, if you ask for a recorded vote, we're going to have to defer it to the end of the evening. You could, but I'm —

Mr Guzzo: I want a recorded vote.

The Chair: Okay, 142 is deferred until we have dealt with all matters pursuant to the House order. Let me make a note, Mr Guzzo, so I don't forget.

We are now proceeding to page 143. It is a government amendment to section 123. All those in favour? All those against?

Mr Wildman: Again I couldn't vote on this because I don't know the implications and we have no possibility of debate under this process.

The Chair: The motion is carried.

Page 144 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 145 is a government motion to amend section 123. All those in favour? All those against? The motion is carried.

Page 146 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

1730

Page 147 is an NDP motion to amend section 123. All those in favour? —

Mr Wildman: On a point of order, Chair: The copy that I have is illegible.

The Chair: Is that corrected, Mr Wildman?

Mr Wildman: Yes, thank you very much.

The Chair: We are dealing with page 147, an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 148, an NDP motion to amend section 123 of the bill. All those in favour? All those against? The motion is lost.

Page 149, an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 160 is a Liberal motion to amend —

Mr Wildman: Page 150. You said "page 160."

The Chair: Did I? I'm sorry. I'm getting ahead of myself. I apologize. We are dealing with page 150, a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 151, an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 152 is a Liberal motion amending section 123. All those in favour? All those against? The motion is lost.

Mr Wildman: I'll withdraw the next one because it's identical to the one we just defeated.

The Chair: Thank you, Mr Wildman. He is withdrawing page 153.

We are now dealing with page 154, an amendment by Mr Guzzo to section 123. Is it your wish to have a recorded vote on this one also, Mr Guzzo?

Mr Guzzo: Please.

The Chair: That will be deferred until the end of the evening. That's page 154.

We are proceeding to page 155a and b, a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 156 is a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 157, a Liberal motion to amend section 123. All those in favour? All those against? It is lost.

Page 158 is a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 159, an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 160, a Liberal motion to amend section 123 of the bill. All those in favour? All those against? It is lost.

We are dealing with page 161, an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 162 —

Mr Wildman: Are we eligible for compensation under "repetitive strain?"

The Chair: Use your left hand, Mr Wildman.

We are dealing with page 162, a Liberal amendment to section 123 of the bill. All those in favour? All those against? The motion is lost.

Page 163 is a Liberal motion to amend section 123. All those in favour? All those against? It is lost.

Page 164 is an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 165 is a Liberal motion to amend section 123. All those in favour? All those against? It is lost.

Page 166 is an NDP motion to amend section 123. All those in favour? All those against? It is lost.

Page 167 is a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

We are dealing with page 168, which an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 169, a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 170, an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 171, a government motion to amend section 123. All those in favour? All those against? The motion is carried.

Page 172 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 173 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 174 is a Liberal motion to amend section 123 of the bill. All those in favour? All those against? The motion is lost.

Page 175 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 176 is a government motion to amend section 123. All those in favour? All those against? It is carried.

Page 177 is a government motion to amend section 123. All those in favour? All those against? The amendment is carried.

Page 178 is a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 179 is a government motion to amend section 123. All those in favour? All those against? The motion is carried.

Page 180 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 181 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 182 is a government motion to amend section 123. All those in favour? All those against? The motion carries.

Page 183 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 184 is an NDP motion to amend section 123. All those in favour? All those against? The motion is lost.

Page 185 is a Liberal motion to amend section 123. All those in favour? All those against? The motion is lost.

Shall section 123 of the bill, as amended, carry? All those in favour? All those against? Section 123, as amended, carries.

Shall sections 124 to 126, inclusive, carry? All those in favour? All those against? Sections 124 to 126, inclusive, carry.

Shall section 127 carry? All those in favour? All those against? Section 127 carries.

1740

Mrs McLeod: I'm sorry, Mr Chairman, I'm lost. What numbered amendment are we on?

The Chair: We're on section 127.

Mrs McLeod: Yes, but which numbered amendment are we about to proceed to?

The Chair: Oh, 186a.

Mrs McLeod: Is that not affecting section 127 of the bill?

The Chair: No, it's a new section. It's 127.1, so they treat it as an addition, as I understand it.

Mrs McLeod: All right, thank you.

The Chair: We have passed section 127 and we are now proceeding to page 186a, which is a government motion which creates a new section 127.1. All those in favour? All those against? Section 127.1 carries.

I'll lump the next group. Shall sections 128 to 132, inclusive, carry? All those in favour? All those against? Sections 128 to 132, inclusive, carry.

Shall sections 133 to 137, inclusive, carry? All those in favour? All those against? Sections 133 to 137, inclusive, carry.

We're now dealing with a Liberal amendment on page 187, amending section 138(1). Shall the Liberal amendment carry? All those in favour? All those against? The motion is lost.

Page 188 is a government motion to amend section 138(1). All those in favour? All those against? The motion of amendment carries.

On page 189 is a Liberal motion to amend section 138(2) of the bill. Shall the Liberal motion carry? All those against? The motion fails.

Page 190 is a Liberal motion amending section 138(3). Shall the amendment carry? All those in favour? All those against? The amendment is lost.

Shall section 138, as amended, carry? All those in favour? All those against? Section 138 carries.

I'll put the question. Shall sections 139 and 140 carry? All those in favour? All those against? Sections 139 and 140 carry.

On page 191 is a Liberal motion to amend section 141. Shall the amendment carry? All those in favour? All those against? The motion is lost.

On page 192 is a government motion to amend section 141. All those in favour? All those against? The amendment is carried.

Page 193 is a government motion to amend section 141. All those in favour? All those against? The amendment carries.

I'll now put the question. Shall section 141, as amended, carry? All those in favour? All those against? Section 141, as amended, carries.

On page 194 there is a government motion which amends the bill to create a new section 141.1. Shall that amendment carry? All those in favour? Against? That amendment carries.

Shall sections 142 to 145 carry? All those in favour? All those against? Sections 142 to 145 carry.

Shall sections 146 to 149 carry? All those in favour? All those against? Sections 146 to 149, inclusive, carry.

We are now dealing with page 195 of your brief. That is a government amendment to section 150 of the bill. All those in favour of the amendment? All those against? The amendment is carried.

Pursuant to the standing orders, I temporarily suspend this committee hearing so we can vote and return immediately after the vote in the House.

The committee recessed from 1747 to 1800.

The Chair: I call the meeting back to order. We had just completed passing a government amendment contained on page 195. I'll now put the question. Shall section 150 of the bill, as amended, carry? All those in favour? All those against? Section 150, as amended, carries.

Shall section 151 carry? All those in favour? All those against? Carried.

Shall sections 152 to 158, inclusive, carry? All those in favour? Against? They are carried.

Shall sections 159 to 162, inclusive, carry? All those in favour? All those against? They carry.

We are now dealing with page 196, which was a government motion. It was ruled out of order and is withdrawn.

Shall section 163 carry? All those in favour? All those against? Section 163 carries.

Shall section 164 carry? All those in favour? All those against? Section 164 carries.

Proceeding to page 197, a government motion to amend section 165. Shall the amendment carry? Against? The amendment carries.

Shall section 165, as amended, carry? All those in favour? All those against? Section 165, as amended, carries.

Proceeding to page 198, that is a government amendment to subsection 166(1.1). Shall the government amendment carry? All those in favour? All those against? The government amendment carries.

Page 199 is a government amendment to subsection 166(2). Shall the amendment carry? Against? The amendment carries.

Page 200 is a government amendment to subsection 166(4). Shall the amendment carry? Against? The amendment carries.

Page 201 is a government amendment to subsection 166(4). All those in favour? All those against? The amendment carries.

Page 202 is a government amendment to subsection 166(9). All those in favour? All those against? The amendment carries.

Page 203 is a government amendment to subsection 166(9). All those in favour? All those against? The motion carries.

Page 204 is a government motion to amend subsection 166(9). All those in favour? All those against? The motion carries.

Shall section 166, as amended, carry? All those in favour? All those against? Section 166, as amended, carries.

We are now dealing with the amendment contained on page 205. This is a government amendment to section 167 of the bill. Shall the amendment carry? All those in favour? All those against? The amendment carries.

Shall section 167, as amended, carry? All those in favour? All those against? Section 167, as amended, carries.

Shall sections 168 and 169 carry? All those in favour? All those against? Sections 168 and 169 carry.

Shall sections 170 to 175, inclusive, carry? All those in favour? All those against? Sections 170 to 175, inclusive, are carried.

We are now dealing with page 206. That is not a motion and I'm ruling it out of order. Mrs McLeod?

Mrs McLeod: Simply a recommendation to vote against the section.

The Chair: I didn't say it was incorrect; I said it was out of order.

We are dealing with section 176. Shall section 176 carry? All those in favour? All those against? Section 176 carries.

Shall section 177 carry? All those in favour? All those against? Section 177 carries.

We're now dealing with an amendment on page 207, which is a government amendment to section 178. Shall the amendment carry? All those in favour? All those against? The amendment carries.

Shall section 178, as amended, carry? All those in favour? All those against? Section 178, as amended, carries.

We are now dealing with a government motion on page 208 amending subsections 179(2) and (3). Shall the amendment carry? All those in favour? All those against? The amendment carries.

Page 209 is an NDP motion amending subsection 179(2). All those in favour? All those against? The motion is lost.

Page 210 is an NDP motion amending subsections 179(2), (4), (5) and (6). All those in favour? All those against? The motion is lost.

Page 211 is a Liberal motion amending subsections 179(4) and (5) of the bill. All those in favour? All those against? The motion is lost.

Page 212 is a Liberal motion amending subsection 179(6). All those in favour? All those against? The motion is lost.

Shall section 179, as amended, carry? All those in favour? All those against? It is carried.

We are now on page 213. This is a Liberal motion to amend subsection 180(1). All those in favour? All those against? The motion is lost.

We're dealing with page 214. It is an NDP motion to amend subsection 180(1). All those in favour of the NDP motion? All those against? The motion is lost.

Page 215 is a government motion to amend subsection 180(2). All those in favour? All those against? It is carried.

Page 216 is a Liberal motion to amend subsection 180(3). All those in favour? All those against? The motion is lost.

Shall section 180, as amended, carry? All those in favour? All those against? It is carried.

We're not going to deal with page 217 just yet, as that deals with the title. We have to go back to two deferred matters, and then we will come back to page 217.

We are dealing, then, with two amendments. Let's deal with them one at a time. On page 142 was an amendment made by Mr Guzzo, which was deferred for a recorded vote. I'll put the question. Shall the amendment proposed by Mr Guzzo and contained on page 142 carry?

Ayes

Carroll, Guzzo.

Nays

Boushy, Rollins, Smith, Wildman.

The Chair: The amendment fails.

Now referring to page 154, which again is a motion brought by Mr Guzzo.

Mr Guzzo: I'll withdraw it.

The Chair: You're withdrawing? We are then proceeding to page 217. This is an NDP motion to amend the short title contained in section 181. All those in favour? All those against? The motion is lost.

Shall section 181 carry? All those in favour? All those against? It is carried.

Shall the long title of the bill carry? All those in favour? All those against? It is carried.

Shall Bill 160, as amended, carry? All those in favour? All those against? It is carried.

Shall Bill 160, as amended, be reported to the House? All those in favour? Against? Carried.

Members of the committee and ladies and gentlemen, I thank you very much for your cooperation here today.

The committee adjourned at 1813.

CONTENTS

Tuesday 18 November 1997

Education Quality Improvement Act, Bill 160, <i>Mr David Johnson</i> / Loi de 1997 sur l'amélioration de la qualité de l'éducation, projet de loi 160, <i>M. David Johnson</i>	J-2829
--	--------

STANDING COMMITTEE ON ADMINISTRATION OF JUSTICE

Chair / Président

Mr Gerry Martiniuk (Cambridge PC)

Vice-Chair / Vice-Président

Mr E.J. Douglas Rollins (Quinte PC)

Mr Dave Boushy (Sarnia PC)

Mr Bruce Crozier (Essex South / -Sud L)

Mr Jim Flaherty (Durham Centre / -Centre PC)

Mr Garry J. Guzzo (Ottawa-Rideau PC)

Mr Peter Kormos (Welland-Thorold ND)

Mr Gerry Martiniuk (Cambridge PC)

Mr David Ramsay (Timiskaming L)

Mr E.J. Douglas Rollins (Quinte PC)

Mr Bob Wood (London South / -Sud PC)

Substitutions / Membres remplaçants

Mr Jack Carroll (Chatham-Kent PC)

Mrs Lyn McLeod (Fort William L)

Mr Bruce Smith (Middlesex PC)

Mr R. Gary Stewart (Peterborough PC)

Mr Bud Wildman (Algoma ND)

Clerk / Greffier

Mr Douglas Arnott

Staff / Personnel

Ms Laura Hopkins, legislative counsel



3 1761 11465803 2